



Sacramento Regional Transit District

BOARD MEETING NOTICE TO THE PUBLIC

In compliance with directives of the County, State, and Centers for Disease Control and Prevention (CDC), this meeting is live streamed and closed to the public. Temporary procedures are subject to change pursuant to guidelines related to social distancing and minimizing person-to-person contact.

**SacRT Board Meetings are being streamed live at
<http://iportal.sacrt.com/iapps/srtdbm/>**

Please check the Sacramento Metropolitan Cable Commission Broadcast Calendar - <https://sacmetroable.sacounty.net> for replay dates and times.

**Members of the public are encouraged to submit written public comments relating to the attached Agenda no later than 2:00 p.m. on the day of the Board meeting
at
Boardcomments@sacrt.com**

**Please place the Item Number in the Subject Line of your correspondence.
Comments are limited to 250 words or less.**



Sacramento Regional Transit District Agenda

BOARD MEETING
5:30 P.M., MONDAY, JULY 27, 2020
REGIONAL TRANSIT AUDITORIUM
VIRTUAL MEETING

Website Address: www.sacrt.com

ROLL CALL — Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen

Alternates: Directors Detrick, Kozlowski, Sander and Slowey

1. PLEDGE OF ALLEGIANCE

2. CONSENT CALENDAR

- 2.1 Motion: Approval of the Action Summary of June 8, 2020
- 2.2 Motion: Approval of the Action Summary of July 2, 2020
- 2.3 Resolution: Ratify Sole Source Procurement and Armored Car Service Agreement with Brink's U.S. (B. Bernegger)
- 2.4 Resolution: Delegating Authority to the General Manager/CEO to Act on the Property Owner's Behalf for the Purpose of Applying for and Holding Any and All Permits within SacRT's Jurisdiction (L. Ham)
- 2.5 Resolution: Approving the Third Amendment to the Agreement between the Sacramento Municipal Utility District to Relocate 230KV and 69KV Facilities for the South Sacramento Corridor Phase 2 Project (L. Ham)
- 2.6 On-Call Planning Support Services with AECOM Technical Support Services (L. Ham)
 - A. Resolution: Approving the First Amendment to the On-Call General Planning Support Services Contract with AECOM; and
 - B. Resolution: Conditionally Approving Work Order No. 5 to the Contract for On-Call Planning Support Services with AECOM Technical Support Services, Inc. for Network Integration Plan

- 2.7 Resolution: Approving the Second, Third, Fourth and Fifth Amendments to the Flexible Benefits Plan Allowing Mid-Year Election Changes, Claims Run Out Extensions and Increase Carry Over Limit for Plan Year 2020 (S. Booth/S. Valenton)
- 2.8 Resolution: Authorizing the Execution of the Low Carbon Transit Operations Program Project(s), and Certifications and Assurances, and Submittal of Project Nominations and Allocation Requests to Caltrans for Fiscal Year 2019/20 (B. Bernegger)
- 2.9 Resolution: Authorizing SacRT to Enter into a Promissory Note with AFCO Acceptance Corporation to Temporarily Finance the Fiscal Year 2021 Insurance Premiums (B. Bernegger)
- 2.10 Resolution: Approving Amendment No. 3 to Work Order No. 2 to the Contract for Environmental Support Services with AECOM Technical Services Inc for 15-Minute Light Rail Service to Historic Folsom (L. Ham)
- 2.11 Resolution: Authorizing the General Manager/CEO to Submit an Application to the California Department of Housing and Community Development Under the Transit-Oriented Development Housing Program (B. Bernegger)
- 2.12 Light Rail and Bus Advertising with Lamar Transit LLC. (D. Selenis)
 - A. Resolution: Delegating Authority to the General Manager/CEO to Negotiate and Restate the Agreement for Light Rail Vehicle and Station Advertising with Lamar Transit LLC.; and
 - B. Resolution: Delegate Authority to the General Manager/CEO to Negotiate a Temporary Agreement for Bus Vehicle Advertising with Lamar Transit LLC.

3. INTRODUCTION OF SPECIAL GUESTS

- 3.1 Congressman Ami Bera

4. UNFINISHED BUSINESS

5. PUBLIC HEARING

6. PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA*

7. NEW BUSINESS

8. GENERAL MANAGER’S REPORT

8.1 General Manager’s Report

- a. Wi-Fi Bus Project - Lori Pepper, Deputy Secretary for Innovative Mobility Solutions for the California State Transportation Agency
- b. SacRT Go Service Transition Update
- c. Paratransit Inc. Board Meeting (June 15) Report
- d. Capitol Corridor JPA Meeting (June 17) Report – (Miller)
- e. SacRT Meeting Calendar

9. REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS

10. CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)

11. ANNOUNCEMENT OF CLOSED SESSION ITEMS

12. RECESS TO CLOSED SESSION

13. CLOSED SESSION

- A. Conference with Legal Counsel
Pursuant to Gov. Code Section 54956.9(d)
Anticipated Litigation

One Case

14. RECONVENE IN OPEN SESSION

15. CLOSED SESSION REPORT

16. ADJOURN

***NOTICE TO THE PUBLIC**

It is the policy of the Board of Directors of the Sacramento Regional Transit District to encourage participation in the meetings of the Board of Directors.

This agenda may be amended up to 72 hours prior to the meeting being held. An Agenda, in final form, is located by the front door of Regional Transit’s building at 1400 29th Street, Sacramento, California, and is posted on the SacRT website.

The Regional Transit Board of Directors Meeting is being streamed live and videotaped. A replay of this meeting can be seen on Metrocable Channel 14. Please check the Metropolitan Cable Commission Broadcast Calendar at for replay dates and times.

Any person(s) requiring accessible formats of the agenda should contact the Clerk of the Board at 916/556-0456 or TDD 916/483-4327 at least 72 business hours in advance of the Board Meeting.

Copies of staff reports or other written documentation relating to each item of business referred to on the agenda are on SacRT’s website, on file with the Clerk to the Board of Directors of the Sacramento Regional Transit District. Any person who has any questions concerning any agenda item may call the Clerk to the Board of Sacramento Regional Transit District.



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Cindy Brooks, Clerk to the Board
SUBJ: APPROVAL OF THE ACTION SUMMARY OF JUNE 8, 2020

RECOMMENDATION

Motion to Approve.

**SACRAMENTO REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS
BOARD MEETING
June 8, 2020**

ROLL CALL: Roll Call was taken via teleconference at 5:31 p.m. PRESENT: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen.

1. PLEDGE OF ALLEGIANCE

The Clerk made an announcement that there was a correction to Item 2.8. The last bullet point of the Staff Report was removed from the item. Additionally, Item 2.5 was being pulled from the agenda.

2. CONSENT CALENDAR

- 2.1 Motion: Approval of the Action Summary of May 11, 2020
- 2.2 Resolution: Approve Selection of Nationwide for the Recordkeeping Administration and Investment Services for the SacRT 457(B) and 401(A) Plans and Authorize the General Manager/CEO to Negotiate and Execute an Agreement (V. Weekly/B. Bernegger)
- 2.3 Resolution: Awarding a Contract for SacRT GO Vehicle Cleaning, Fueling and Maintenance Services to Paratransit, Inc. (J. Adelman/B. Bernegger)
- 2.4 Resolution: Awarding a Contract for Janitorial Services to Consolidated Facility Services, LLP (J. Anderson/L. Ham)
- 2.5 Resolution: Delegating Authority to the General Manager/CEO to Approve the Third Amendment to Contract for Downtown Riverfront Streetcar Design Services with HDR, Inc. (D. Abansado/L. Ham)
- 2.6 Resolution: Delegating Authority to the General Manager/CEO to Execute a Pedestrian Easement Agreement for 1015 R Street with R11 Properties LLC (T. Canfield/B. Bernegger)
- 2.7 Resolution: Approving the Collective Bargaining Agreement with the Amalgamated Transit Union Local 256 Covering Employees for the SacRT GO Paratransit Service Line for a 4-Year Term from June 28, 2020 to June 30, 2024 (S. Booth/S. Valenton)

- 2.8 Resolution: Approving the Amendment to the Collective Bargaining Unit with the International Brotherhood of Electrical Workers Local 1245 Covering Employees of the SacRT GO Paratransit Service Line (S. Booth/S. Valenton)
- 2.9 Resolution: Approving Work Order No 6 to the Contract for On-Call Planning Support Services with WSP USA for Zero Emission Bus Planning Phase II (J. Boyle/L. Ham)
- 2.10 Resolution: Approving the Sixth Amendment to the Contract for Purchase of Vehicles Through CalAct/MBTA Joint Procurement with Creative Bus Sales, Inc. (A. Kennedy/C. Alba)
- 2.11 Approving a Sole Source Procurement with Paypal, Inc, for Braintree Payment Services; Repealing and Restating the Fare Structure for Complementary Paratransit Services; and Approving Three Free Ride Days for SacRT GO Paratransit Services (J. Adelman/B. Bernegger)
- A. Resolution: Suspending Fares on SacRT GO Complementary Paratransit Services for June 28 – 30, 2020; and
- B. Resolution: Repealing Resolution Nos. 19-03-0039 and 20-03-0015 and Adopting a New Fare Structure for Complementary Paratransit Service; and
- C. Resolution: Approving a Sole Source Procurement and Related Agreements with Paypal, Inc. for Braintree Payment Services
- 2.12 Resolution: Approving the Sixth Amendment to the Capital Budget for Fiscal Year 2020 (J. Johnson/B. Bernegger)
- 2.13 Resolution: Delegating Authority to the General Manager/CEO to Negotiate and Execute the Second Amendment to the Light Rail Stations Maintenance Agreement with the City of Rancho Cordova (J. Anderson/L. Ham)
- 2.14 Resolution: Authorizing Renewal of Employment Practices Liability, Property, Boiler & Machinery, Excess Workers' Compensation, Crime/Employee Dishonesty, Privacy & Network Liability, Underground Storage Tank Pollution Liability and Flood for the Period of July 1, 2020 through June 30, 2021, and Authorizing the General Manager/CEO to Negotiate the Renewal of the Excess Liability Insurance at a Not to Exceed Amount of \$6,202,586.50 for the Period of July 1, 2020 through June 30, 2021 (A. Steele/B. Bernegger)
- 2.15 Approving Amendments to the Personal Service Contracts for the Security

Operations Center and Police Services (L. Hinz)

- A. Resolution: Ratifying the General Manager/CEO's Approval and Execution of the Fifth Amendment to the Personal Services Contract for Temporary Employment with 1 Security Operations Manager, Robert Kerr; and
 - B. Resolution: Approving the Fourth Amendment to the Personal Services Contracts for Temporary Employment with 2 Security and Safety Specialists, Tino Bamberger and Benjamin Louie; and
 - C. Resolution: Approving the Third Amendment to the Personal Services Contracts for Temporary Employment with 1 Security and Safety Administrator, Mark Sakauye, and 3 Security Operations Center Specialists, Julia Ann Fuller, Maksim Kozlov and Antwan Pippins; and
 - D. Resolution Approving the Second Amendment to the Personal Services Contracts for Temporary Employment with 4 Security Operations Center Specialists, Daniel Cuevas, Devin Leach, Brenden See and Andrea Shaffer; and
 - E. Resolution: Approving the First Amendment to the Personal Services Contracts for Temporary Employment with 2 Security Operations Center Specialists, Gabby Huntsinger and Heather Schaller.
- 2.16 Delegating Authority to the General Manager/CEO to Enter into Agreements with California State University, Sacramento and Los Rios Community College District (J. Adelman/B. Bernegger)
- A. Resolution: Delegating Authority to the General Manager/CEO to Enter into an Amendment and Restatement of the Agreement for California State University, Sacramento Student and Employee Transit Pass Program; and
 - B. Resolution: Delegating Authority to the General Manager/CEO to Enter into the Seventh Amendment to the Student Transit Pass Program Agreement with Los Rios Community College District

Director Budge asked to address the public comment from Colleen Whalen regarding the Universal Transit Pass.

The Clerk read the public comment into the record from Ms. Whalen, and read the response provided to Ms. Whalen.

Director Schenirer wanted to know that if someone would submit comments three pages

long, would it be read?

Director Serna noted that the protocol at the County is to have the commenter indicate whether they wanted it read or summarized at the meeting, such that it does not go over the 3-minute mark.

Chair Hansen indicated that if the Board gets more comments, Staff can manage the public comments, but currently the Board has received very few comments during the virtual meetings, so Staff will continue to read them during the meeting.

ACTION: APPROVED - Director Howell moved; Director Budge seconded approval of the consent calendar with the exception of Item 2.5. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen. Noes: None, Abstain: None and Absent: None.

3. INTRODUCTION OF SPECIAL GUESTS

3.1 Congresswomen Doris Matsui

Congresswoman Matsui thanked SacRT for providing transit to the public despite all the challenges and uncertainty, and for implementing the Wi-Fi program for the youth. She acknowledged that the current situation has been a challenge. She noted that the CARES Act has provided some funding to SacRT, and Congress is currently working to make more money available for transit. Congresswoman Matsui indicated that transit is also dealing with the effects of the protests from the death of George Floyd, and noted that there has been new legislation introduced to try to deal with policing procedures. The Congresswoman stated that she is aware that SacRT is looking at all types of mobility for the future. Appropriations will be coming up soon, and the Legislature will be looking at the Transportation and Infrastructure Bill as an additional funding mechanism for transit.

Director Budge indicated that funding is not being distributed to cities under 500,000 in population and she is concerned that those cities are not getting funding. Director Budge asked the Congresswoman if there were any future considerations to supplying funding to those cities under 500,000. Congresswoman Matsui indicated that the next bill will allow funding to go to the smaller cities.

4. UNFINISHED BUSINESS

5. PUBLIC HEARING

5.1 Public Hearing and Adoption of the Fiscal Year (FY) 2021 Operating and Capital Budgets (J. Johnson/B. Bernegger)

A. Accept Public Comments; and

- B. Resolution: Approving the Sacramento Regional Transit District FY 2021 Operating and Capital Budgets and Vote Allocations; and
- C. Resolution: Authorizing the Filing of the FY 2021 Transportation Development Act Claim Based on the Adopted Budget

Brent Bernegger noted, even during these times, SacRT has been able to stay financially very strong. The reserves are at the highest level in a long time. The budget is balanced without any service reductions, layoffs, furloughs or salary reductions. SacRT has provided some minor services increases in Smart Ride area.

Public Comment: Mike Barnbaum's comments were read into the record by the Clerk.

ACTION: APPROVED - Director Jennings moved to close public comment and adopt the budget; Director Howell seconded approval of the item. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen. Noes: None, Abstain: None and Absent: None.

6. PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA

Public Comments: Read into the record by the Clerk.

Mike Barnbaum – Mr. Barnbaum provided an update of other jurisdiction's services and meetings.

Safiya Munif – Ms. Munif is concerned about safety precautions on the bus.

7. NEW BUSINESS

- 7.1 Resolution: Fiscal Year 2020 Performance Evaluation and Third Amendment to the Employment Agreement with Henry Li as SacRT's General Manager/CEO (S. Valenton)

Shelly Valenton summarized the key components of the Staff Report.

ACTION: APPROVED - Director Budge moved; Director Howell seconded approval of the item as written. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen. Noes: None, Abstain: None and Absent: None.

8. GENERAL MANAGER'S REPORT

- 8.1 General Manager's Report
 - a. Paratransit SacRT GO Transition Update

- b. Public Agency Transportation Safety Plan Update
- c. Paratransit Inc. Board Meeting (May 18) Report – (Hume)
- d. San Joaquin JPA Meeting (May 29) Report) – (Hume)
- e. SacRT Meeting Calendar

Mr. Li thanked Congresswoman Matsui for joining the virtual meeting and for her work in Congress.

Mr. Li noted that SacRT believes that freedom and progress are built on mobility and SacRT has created opportunities for all in improving people's lives regardless of race, economic standing or physical ability. Open communication helps SacRT employees cope during these difficult times and staff recently held a town-hall meeting.

As SacRT remains vigilant in monitoring day to day demonstration activity, SacRT has not lost focus on being proactive to prevent the spread of COVID-19. There are no reported cases of COVID-19 among the employees. SacRT is preparing to implement the next phase of our Business Recovery plan: a gradual and careful transition to normal business. SacRT anticipates that we will restore all of our service to normal levels in September. A video called "SacRT Heroes Moving Heroes" was shown.

Mr. Li indicated that the Federal Transit Administration requires that agencies receiving federal funds develop a Public Transportation Agency Safety Plan (PTASP). The Public Transportation Safety plan will be provided to the Board at a future meeting.

Mr. Li indicated that this Board meeting is the last meeting before SacRT launches SacRT GO on June 28th and provided a video on the SacRT GO transition.

Chair Hansen noted that everyone has seen unprecedented protests, and that it is important to remember the role of transit agencies as our employees and riders count on SacRT. Chair Hansen asked the Board members that if they have suggestions on how to close the gap for transit access to contact him or Mr. Li.

Chair Hansen asked that staff provide the links to both videos to the Board.

Laura Ham introduced the SacRT Go service transition. Jamie Adelman and Carmen Alba reviewed their Power Point presentation.

Chair Hansen thanked staff for working on this project.

Director Hume noted that the Board of Paratransit, Inc. (PI) voted to keep the current Board intact through the end of 2020.

Director Budge requested that SacRT Staff provide the Rancho Cordova Communications Director with all the information on the SacRT GO boundaries.

Director Howell thanked SacRT and PI for working together to make this a smooth

transition.

9. **REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS**
10. **CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)**
11. **ANNOUNCEMENT OF CLOSED SESSION ITEMS**
12. **RECESS TO CLOSED SESSION**
13. **CLOSED SESSION**
14. **RECONVENE IN OPEN SESSION**
15. **CLOSED SESSION REPORT**
16. **ADJOURN**

As there was no further business to be conducted, the meeting was adjourned at 6:34 p.m.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Cindy Brooks, Clerk to the Board
SUBJ: APPROVAL OF THE ACTION SUMMARY OF JULY 2, 2020

RECOMMENDATION

Motion to Approve.

**SACRAMENTO REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS
SPECIAL CLOSED SESSION BOARD MEETING
July 2, 2020**

ROLL CALL: Roll Call was taken at 10:10 a.m. PRESENT: Directors Harris, Howell, Jennings, Kennedy, Miller, Nottoli, Schenirer and Chair Hansen. Absent: Directors Budge, Hume and Serna.

1. **Announce Closed Session Items:**

- A. Conference with Legal Counsel
Pursuant to Gov. Code Section 54956.9(d)
Anticipated Litigation

One Case

2. **Recess To Closed Session**

3. **Open Session**

There was no report out of Closed Session.

4. **Closed Session Report**

As there was no further business to be conducted, the meeting was adjourned at 10:48 a.m.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: RATIFY SOLE SOURCE PROCUREMENT AND ARMORED CAR SERVICE AGREEMENT WITH BRINK'S U.S.

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

The Services Agreement will provide auto-renewing armored car services for SacRT.

FISCAL IMPACT

The estimated annual cost of the armored car service contract with Brink's U.S. is \$7,200, with the expectation of modest pricing increases annually. This amount is included in the FY 2021 Operating Budget.

DISCUSSION

Brink's was the provider of armored car service for SacRT under a service agreement executed in 2009. The 2009 service agreement included an auto renewal clause and the total consideration paid eventually exceeded the General Manager/CEO's contracting authority; as a result, in June 2019 the Board of Directors ratified the 2009 service agreement and approved a sole source procurement through June 30, 2020 to allow staff to solicit competitive bids or proposals for a new Contract.

SacRT publicly released two formal armored car solicitations in 2020 and received no bids or proposals, despite active outreach to Brink's (which expressed a concern about signing SacRT's form of agreement), Loomis, and Garda. Therefore, Staff determined that it would be in SacRT's best interest to enter into a new service agreement with Brink's, without further competitive solicitation efforts. The General Manager/CEO approved a Sole Source Best Interest determination on May 29, 2020.

Staff entered into negotiations with Brink's; SacRT's position was that the agreement could contain the standard Brink's auto renewal clause, but must also contain language specifying that the agreement will terminate automatically when the total consideration reaches \$150,000 so as not to exceed the General Manager/CEO's contracting authority under the Procurement Ordinance. Brink's rejected this change, leaving SacRT with no choice but to accept the auto renewal provision without a cap. SacRT must maintain armored car services to safely transport currency and coins collected on

buses and at light rail stations around the system, and to ensure the continuance of cash flow in SacRT's checking account.

SacRT entered into an indefinite auto-renewing Service Agreement with Brink's on July 1, 2020 for armored car services. The agreement requires that a notice of intent to terminate be provided at least 60 days prior to the end of the then-current term in order to be effective. The Service Agreement does not include a not-to-exceed amount, which allows SacRT to retain the services year after year without contract renewals. Because such auto-renewing agreements can eventually exceed the General Manager/CEO's contracting authority and the formal solicitation threshold, the Board must ratify the sole source determination and the execution of the Service Agreement.

Section 1.105, "Ratification of Unauthorized Procurement" of the Procurement Ordinance permits the Board to ratify an unauthorized procurement if: (1) the supplies or services have been provided to and accepted by SacRT or SacRT will otherwise benefit from the unauthorized procurement; (2) the ratifying official (in this case the Board), has the authority to enter into the Contract; (3) the Contract would have been proper if made by an appropriate contracting officer; (4) the price is fair and reasonable; and (5) sufficient funds are available.

The costs being charged by Brink's are considered fair and reasonable because the cost of service has been consistent with only modest increases year over year, for the past ten years. While the Service Agreement provides broad discretion for Brink's to unilaterally increase the rates, historically the rates have not been significantly increased. Further, there are sufficient funds available to cover the expected cost of the Contract. Staff will monitor the rates and any increases to ensure they remain fair and reasonable.

If the Board does not act to ratify the existing contract, SacRT will need to terminate the new agreement, and SacRT will be left without a vendor to provide these critical services.

Per Procurement Ordinance Article 1.405, Noncompetitive and Sole Source Procurement, B.2 Non-Federally-Funded Procurements, for Contracts that are not federally-funded, a noncompetitive Procurement is permitted for Professional and Nonprofessional Service Contracts, when the General Manager/CEO or Board, as applicable, determines that it is in the best interests of SacRT to solicit only one consultant without compliance with the competitive solicitation procedures set forth in Article III.

Staff recommends that the Board ratify the Brink's Service Agreement and approve the Noncompetitive Sole Source Procurement.

RESOLUTION NO. 20-07-0063

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

RATIFY SOLE SOURCE PROCUREMENT AND ARMORED CAR SERVICE AGREEMENT WITH BRINK'S U.S.

WHEREAS, after conducting two competitive solicitations that elicited no responses, on July 1, 2020, the General Manager/CEO executed the Brink's Service Agreement by and between the Sacramento Regional Transit District (therein "Customer") and Brink's U.S. (therein "Brink's") for armored car services for an indefinite term with no cap on the total consideration, an action in excess of his contracting authority; and

WHEREAS, the total consideration due under the Agreement through the end of the current fiscal year is estimated to be \$7,200; and

WHEREAS, SacRT must maintain armored car services to safely transport currency and coins collected on buses and at light rail stations around the system; and

WHEREAS, Section 1.105, "Ratification of Unauthorized Procurement" of the Procurement Ordinance permits the Board to ratify an unauthorized procurement if: (1) the supplies or services have been provided to and accepted by SacRT; (2) the ratifying official has the authority to enter into the Contract; (3) the Contract would have been proper if made by an appropriate contracting officer; (4) the price is fair and reasonable; and (5) sufficient funds are available; and

WHEREAS, under Section 1.405 B.2 of the SacRT Procurement Ordinance, a sole source procurement for services is permitted upon a determination that it is in the best interest of Sacramento Regional Transit District (SacRT) to solicit only one contractor.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, because no other vendors indicated an interest in performing armored car services for SacRT, it was in SacRT's best interest to directly contract with Brink's U.S. on the standard terms and conditions offered by Brink's U.S.

THAT, in accordance with Section 1.05 of the Procurement Ordinance, the Board of Directors hereby ratifies the General Manager/CEO's execution of the July 1, 2020 Brink's Services Agreement to provide armored car services for an indefinite period at the rates specified therein, as they may be subject to future increases.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: DELEGATE AUTHORITY TO THE GENERAL MANAGER/CEO TO ACT ON THE PROPERTY OWNER'S BEHALF FOR THE PURPOSE OF APPLYING FOR AND HOLDING ANY AND ALL PERMITS WITHIN SACRT JURISDICTION

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Expanding the General Manager/CEO's existing authority to act on Sacramento Regional Transit District's, behalf, as the property owner, for the purpose of holding any and all permits in all cities and County within SacRT jurisdiction.

FISCAL IMPACT

No fiscal impact associated with this action.

DISCUSSION

On August 13, 2018, the SacRT Board delegated authority to the General Manager/CEO to act on behalf of SacRT as the property owner for the purpose of holding a City of Sacramento building permit.

On June 10, 2020, there was a fire at SacRT's building on Evergreen Street that left the building unstable. In order to demolish the unstable building, a Wrecking Permit was required. The General Manager/CEO's existing authority does not cover Wrecking Permits, and consequently, the General Manager/CEO could not pull the permit without first seeking Board authorization. Given the critical nature of situation, the inability to pull the permit greatly hindered staff's ability to quickly demolish the building. To avoid this in the future, staff is requesting that the Board authorize the General Manager/CEO to apply for and obtain any and all permits necessary to construct, repair, remodel or demolish SacRT owned improvements within SacRT owned real property located within any city or county within SacRT's jurisdiction.

By law, permits are required for new construction, additions, remodeling work, and demolition to confirm that all structures meet applicable City, County, State and Federal building code requirements. The cities and counties regulate construction and development to safeguard and ensure the health and safety of the public. As part of the

permit process, plans are reviewed to ensure compliance with adopted codes. Permits are issued for construction and demolition, as well as additions to, and remodeling of, existing buildings and structures. A permit is required for projects such as new construction, demolition, additions, tenant improvements, signs, remodeling, re-roofing, fences, landscape irrigation and work on electrical, mechanical, and plumbing systems.

Sacramento Regional Transit District (SacRT) owns and/or maintains more than nine buildings (Administration Building, Engineering Building, Bus Maintenance Facility 1, Bus Maintenance Facility 2, Finance Building, 1225 R Street, Evergreen, Light Rail Metro, Wayside and Maintenance Heavy Repair Facility). In the past, work has been completed by a contractor and the contractor has pulled the permit. However, SacRT was required to pull a Wrecking Permit to expedite the demolition of the Evergreen building after a fire left it unstable and a safety hazard. In order for the SacRT Engineering Department to complete the permit application forms on buildings owned by SacRT, the cities and County require the Board to authorize an agent to act on behalf of SacRT, the Property Owner.

Staff recommends the Board delegate authority to the General Manager/CEO or his/her designee to be the Agent to Act on the Property Owner's behalf for the purpose of holding any and all types of permits within SacRT jurisdiction.

RESOLUTION NO. 20-07-0064

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

DELEGATE AUTHORITY TO THE GENERAL MANAGER/CEO TO ACT ON THE PROPERTY OWNER'S BEHALF FOR THE PURPOSE OF APPLYING FOR AND HOLDING ANY AND ALL PERMITS WITHIN SACRT JURISDICTION

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby delegates authority to the General Manager/CEO or his/her designee to be the Agent to Act on the Property Owner's behalf for the purpose of applying for and holding any and all types of permits required to construct, demolish, repair, remodel, or otherwise perform work on a SacRT owned or controlled improvement upon SacRT owned or leased real property located within SacRT jurisdiction.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE SACRAMENTO MUNICIPAL UTILITY DISTRICT (SMUD) AND SACRAMENTO REGIONAL TRANSIT DISTRICT (RT) TO RELOCATE 230KV AND 69KV FACILITIES FOR THE SOUTH SACRAMENTO CORRIDOR PHASE 2 PROJECT

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

The Third Amendment to the Contract will provide for SMUD to complete the relocation of the 69kV transmission line and remove the temporary 69kV for the South Sacramento Corridor Phase 2 Project.

FISCAL IMPACT

The cost of the Third Amendment is \$2,846,472. The Third Amendment is being funded with capital sources available on the South Line Phase 2 project.

DISCUSSION

The South Sacramento Corridor Phase 2 project (Project) extended Sacramento Regional Transit District's (SacRT's) light rail service from its previous terminus at Meadowview Road south and east 4.3 miles to Cosumnes River College (CRC).

As part of the original Project, a SMUD 230kV transmission line and a few 69kV poles were to be relocated due to the light rail alignment and the restraints of the existing right of way. The Union Pacific Railroad (UPRR) previously required that the clearance between the centerline of the UPRR track and the light rail track be a minimum of 50'. This requirement shifted the SMUD conflict west from the 230kV pole line to the 69kV and 12kV pole line located in residential backyards along the entire corridor.

After successful negotiations with SMUD, a new scope was developed but required a California Environmental Quality Act (CEQA) Initial Study/Negative Mitigation Declaration to be approved because the new relocation scope was not part of the original project description. The scope requires: the existing 12kV line to be relocated several feet west to a new permanent location; the 69kV and fiber optic facilities to be temporarily relocated to 27 wood poles; and a permanent relocation of the 69kV several

hundred feet west of the original project site on 34 steel poles in a utility easement. Moving the 69kV line significantly farther west is required to maintain the necessary wire clearances from residences.

In November 2013, the SacRT Board approved the CEQA Initial Study/Negative Mitigation Declaration with concurrence by the Federal Transit Administration. SMUD was able to complete its Phase 1 work (12kV and temporary 69kV relocation) with additional funding provided by the First Amendment and the Second Amendment for a total of \$3,556,105.00. The completion of Phase 2 work (permanent 69kV and removal of temporary 69kV) was delayed due to lack of property rights to build the 69kV line extension on properties belonging to the United States of America (Department of Labor) and the State of California (Department of Food and Agriculture). On January 2017, SacRT obtained the necessary rights from the United States of America. On May 2019, SacRT obtained the necessary rights from the State of California.

The updated total cost for the scope of work is \$6,402,577 based on the increase of material and labor rates from the time of the original estimate. The project has funding for this work and anticipated the cost would increase due to the extended time frame to obtain the right-of-way from both the United States of America and the State of California. This is an estimate only and, under the Agreement, SacRT is obligated to pay 100% of the actual direct and indirect costs for the revised scope of work. If the costs were to increase further, project contingency budget would be available to cover the expense.

Staff recommends approving the Third Amendment to the Agreement between SMUD and SacRT, whereby the revised scope and schedule are defined, and the total cost estimate is increased by \$2,846,472.

RESOLUTION NO. 20-07-0065

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE SACRAMENTO MUNICIPAL UTILITY DISTRICT (SMUD) AND SACRAMENTO REGIONAL TRANSIT DISTRICT (RT) TO RELOCATE 230KV AND 69KV FACILITIES FOR THE SOUTH SACRAMENTO CORRIDOR PHASE 2 PROJECT

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Third Amendment to the Agreement Between the Sacramento Regional Transit District, therein referred to as "RT," and the Sacramento Municipal Utility District, therein referred to as "SMUD," whereby SMUD agrees to complete the scope of construction work to permanently relocate its 69kV pole line and fiber optic facilities to accommodate the South Sacramento Corridor Phase 2 Project, and the estimated cost is increased by \$2,846,472, for a total estimated reimbursement amount of \$6,402,577 (including previously paid amounts), is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized to execute the Third Amendment to the Agreement.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: APPROVING THE FIRST AMENDMENT TO THE ON-CALL GENERAL PLANNING SUPPORT SERVICES CONTRACT WITH AECOM AND WORK PLAN NUMBER WP 5 TO PREPARE A NETWORK INTEGRATION STUDY

RECOMMENDATION

Adopt the Attached Resolutions.

RESULT OF RECOMMENDED ACTION

The attached Resolutions would increase the not-to-exceed amount for an existing service contract by \$350,000, to \$600,000, and authorize expenditure of \$225,000 on the same contract to prepare a Network Integration Plan required by Caltrans, as a condition of SacRT's 2018 Transit and Intercity Rail Capital Program (TIRCP) grant.

FISCAL IMPACT

The \$225,000 in consultant costs for the work is already funded as part of SacRT's 2018 TIRCP grant, and restricted for development of a Network Integration Plan. The \$350,000 increase in the contract cap will allow staff to authorize this task and additional future work. All future expenditures will continue to require a funding source and, if over \$150,000, will require Board approval.

DISCUSSION

On March 9, 2018, SacRT executed a Contract for On-Call General Planning Support Services with AECOM Technical Services, Inc. (AECOM) for a term of five years and a not-to-exceed amount of \$250,000, with work assigned on a work-order basis. Funds are budgeted for services as work orders are executed. Three work orders have been executed thus far, totaling approximately \$101,218 in services. The first Resolution would amend the contract to increase the not-to-exceed amount by \$350,000, to a total of \$600,000. Increasing the total consideration to \$600,000 will put AECOM's cap at parity with WSP, which is SacRT's other on-call planning support consultant. In June 2019, the Board increased the cap for WSP from \$250,000 to \$600,000. The second Resolution would authorize a new Work Order, under the contract, for an amount of \$224,354.59, using TIRCP funds designated by the grant agreement for a mandatory Network Integration Plan. Expenditures over \$150,000 require Board approval.

The purpose of the Network Integration Plan is to assure that state rail funds are spent in a manner consistent with the State Rail Plan. Specifically, the plan will include conceptual operating plans for SacRT's bus and light rail systems for potential implementation as ongoing interrelated capital projects are completed, including the Sacramento Valley Station loop project, low-floor conversion on the Gold Line, double tracking on the Folsom extension, the planned new Sacramento Valley Station transit center, the new Midtown station for the Amtrak San Joaquin line, as well as integration with the California Integrated Travel Project on statewide rail and transit ticketing centralization.

Key external stakeholders for the project will include Caltrans Division of Rail and Mass Transit, Capitol Corridor Joint Powers Authority, San Joaquin Joint Powers Authority, City of Sacramento, the Sacramento Area Council of Governments, and the regional transit agencies that serve Downtown Sacramento. Project kickoff is scheduled for August 2020. A draft report is expected March 31, 2021, with the final report due to Caltrans on November 30, 2021. Staff recommends the Board approve the attached Resolutions.

RESOLUTION NO. 20-07-0066

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

APPROVING THE FIRST AMENDMENT TO THE ON-CALL GENERAL PLANNING SUPPORT SERVICES CONTRACT WITH AECOM TECHNICAL SERVICES, INC.

WHEREAS, the Sacramento Regional Transit District (SacRT) and AECOM Technical Service, Inc. (Consultant) executed a Contract for On-Call General Planning Support Services Contract (Contract) on March 8, 2018 for an amount not-to-exceed \$250,000; and

WHEREAS, a total of \$101,218 has already been committed or spent on the AECOM contract for other Work Orders; and

WHEREAS, as a condition of its award of Transit and Intercity Rail Capital Program (TIRCP) funds in 2018, SacRT is required to prepare a Network Integration Plan ("Plan"), according to Caltrans guidelines, and as part of the same grant, was awarded \$225,000 for consultant services for preparation of the Plan; and

WHEREAS, SacRT desires to execute a Work Order with AECOM to prepare the Network Integration Plan, according to a proposal prepared by AECOM, for an amount not to exceed \$225,000, which is in excess of the remaining Total Consideration under the Contract.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the First Amendment to the Contract between SacRT and Consultant whereby the total consideration of the Contract is increased by \$350,000, from \$250,000 to \$600,000, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said First Amendment.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-07-0067

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

CONDITIONALLY APPROVING WORK ORDER NO. 5 TO THE CONTRACT FOR ON-CALL PLANNING SUPPORT SERVICES WITH AECOM TECHNICAL SERVICES, INC. TO PREPARE A NETWORK INTEGRATION STUDY

WHEREAS, as a condition of its award of Transit and Intercity Rail Capital Program (TIRCP) funds in 2018, SacRT is required to prepare a Network Integration Plan ("Plan"), according to Caltrans guidelines and, as part of the same grant, was awarded \$225,000 for consultant services for preparation of the Plan.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, Work Order No. 5 to the Contract for On-Call Planning Support Services ("Principal Agreement") between Sacramento Regional Transit District, therein referred to as "SacRT," and AECOM Technical Services, Inc., therein referred to as "Consultant," whereby Consultant agrees to prepare a Network Integration Plan for SacRT for an amount not-to-exceed \$224,354.59, is hereby approved, conditioned upon the Board approving and directing the execution of the First Amendment to the Principal Agreement.

THAT, upon the approval and execution of the First Amendment to the Principal Agreement, the General Manager/CEO is hereby authorized and directed to execute said Work Order No. 5.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Steve Booth, AVP, Human Resources and Labor Relations

SUBJ: APPROVING THE SECOND, THIRD, FOURTH AND FIFTH AMENDMENTS TO THE FLEXIBLE BENEFITS PLAN ALLOWING MID-YEAR ELECTION CHANGES, CLAIMS RUN OUT EXTENSIONS AND INCREASE CARRYOVER LIMIT FOR PLAN YEAR 2020

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

SacRT employees will receive the enhanced benefits described below related to their Flexible Spending Accounts.

FISCAL IMPACT

There is no fiscal impact associated with the Contract Amendment of the Flexible Benefits Plan.

DISCUSSION

Flexible Spending Accounts (FSA) are governed by Internal Revenue Code (IRC) Section 125 and allow an individual to have pre-tax payroll deductions for certain medical and dependent care expenses. A flexible spending arrangement is a form of cafeteria plan benefit, one hundred percent funded by a pre-tax salary reduction, that reimburses employees for expenses incurred for certain qualified expenses. A Healthcare Flexible Spending Account is a pre-tax benefit account that allows a participant to pay for eligible qualified medical expenses. An employee funds the Healthcare FSA through pre-tax deductions which are elected during SacRT's Open Enrollment period and is available for use at the beginning of the following plan year. The maximum amount a participant can contribute is determined by the Internal Revenue Service (IRS). The employer then deducts the election contribution amount (in equal portions) from the employees' paychecks throughout the plan year.

The general rule under Section 125 regulations is an individual must make § 125 cafeteria plan elections before the start of the plan year, and those plan elections must be irrevocable during the plan year, with limited exceptions that include certain changes in status to prevent the elections from constituting a deferral of compensation in contravention of § 125(d)(2)(A). As a result, an individual would be unable to modify a health FSA on or after the first day of the plan year of the § 125 cafeteria plan.

On May 12, 2020, the IRS released Notice 2020-29 in response to the coronavirus (COVID-19) health emergency and provides flexibility for employers to allow prospective mid-year changes during the 2020 calendar year. This is a temporary change effective only for the plan year beginning in 2020. The Notice provides increased flexibility with respect to mid-year elections under a § 125 cafeteria plan. An employee can revoke an election, make a new election and/or increase or decrease an existing election to the health and dependent care flexible spending accounts. Exhibit A contains a Summary of Material Modifications prepared by SacRT's Flexible Benefit Plan provider, Navia Benefit Solutions, providing details of the Summary of Changes and is the Second Amendment to the Flexible Benefits Plan.

Notice 2013-71, provides that a § 125 cafeteria plan may allow up to \$500 of unused amounts in a participant's health flexible spending account as of the end of a plan year to be carried over to pay or reimburse the participant for medical care expenses incurred in the immediately following plan year.

On May 12, 2020, the Internal Revenue Service released guidance impacting section 125 cafeteria plans. Notice 2020-33 modifies Notice 2013-71, 2013-47 IRB 532, to increase the carryover limit (currently \$500) to a carryover limit of \$550 of unused amounts remaining as of the end of a plan year in a health flexible spending account under a § 125 cafeteria plan that may be carried over to pay or reimburse a participant for medical care expenses incurred during the following plan year. This guidance is designed to provide temporary flexibility for employers and employees to assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19). These changes permit participants to carryover \$550 for the plan year beginning on or after January 1, 2020. Exhibit B contains a Summary of Material Modifications prepared by SacRT's Flexible Benefit Plan provider, Navia Benefit Solutions, providing details of the Summary of Changes and is the Third Amendment to the Flexible Benefits Plan.

FSA claims for health and dependent care reimbursement must be received no later than 60 days after the end of the Plan Year. Any claims submitted after that time will not be considered. Additionally, participants may file an appeal on adverse benefit determinations under the plan's claims procedure and typically have 180 days to appeal a healthcare FSA denial.

In response to the COVID-19 pandemic, the IRS has relaxed the Section 125 use-it-or-lose-it rule for FSAs. On April 29, 2020, the Department of Labor, Revenue, and Treasury (the "Departments") issued guidance extending certain timeframes for group health plans during the COVID-19 National Emergency. As a result of the National Emergency, the Departments recognized that participants may find it difficult to meet or comply with certain pre-established timeframes, specifically the health and day care FSA claims run out and the FSA appeals timeline. The guidance announced that plans, "must disregard the period from March 1, 2020 until sixty (60) days after the announced end of the National Emergency or such other date announced by the Agencies [Departments] in a future notice (the 'Outbreak Period')." Exhibit C contains a Summary of Material Modifications prepared by SacRT's Flexible Benefit Plan provider, Navia Benefit Solutions, providing details of the Summary of Changes and is the Fourth Amendment to the Flexible Benefits Plan.

The Health Insurance Portability and Accountability Act allows eligible employees to enroll themselves and/or their eligible dependents in group health coverage within 30 days from the date that (i) the individual ceased to be covered by another group health plan or certain other health coverage or (ii) an individual becomes a dependent of an eligible employee by birth, marriage, adoption or placement for adoption.

On April 29, 2020, the Department of Labor, Revenue, and Treasury (the "Departments") issued guidance extending certain timeframes for group health plans during the COVID-19 National Emergency. As a result of the National Emergency, the Departments recognized that participants may find it difficult to meet or comply with certain pre-established timeframes, specifically the COBRA election period and payment timeline.

The guidance announced that plans, "must disregard the period from March 1, 2020 until sixty (60) days after the announced end of the National Emergency or such other date announced by the Agencies [Departments] in a future notice (the 'Outbreak Period') for all plan participants, beneficiaries, qualified beneficiaries, or claimants wherever located in determining the following periods and dates— "

The Outbreak Period regarding COBRA Continuation Coverage is disregarded in applying the time limits for an individual to notify the Plan of certain qualifying events, to elect COBRA continuation coverage and to timely pay the applicable COBRA premiums. Exhibit D contains a Summary of Material Modifications prepared by SacRT's Flexible Benefit Plan provider, Navia Benefit Solutions, providing details of the Summary of Changes and is the Fifth Amendment to the Flexible Benefits Plan.

As Flexible Benefit Plan changes continue to occur in response to the coronavirus (COVID-19) health emergency, in an effort to expedite the implementation of changes and notification to employees, staff recommends the Board authorize delegation to the General Manager/CEO to fill out, execute and submit any and all forms, documents and agreements necessary to effectuate any additional contract Amendments to the Flexible Benefits Plan in response to the coronavirus (COVID-19) health emergency.

RESOLUTION NO. 20-07-0068

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

APPROVING THE SECOND, THIRD, FOURTH AND FIFTH AMENDMENTS TO THE FLEXIBLE BENEFITS PLAN ALLOWING MID-YEAR ELECTION CHANGES, CLAIMS RUN OUT EXTENSIONS AND INCREASE CARRYOVER LIMIT FOR PLAN YEAR 2020

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby approves the Second, Third, Fourth and Fifth Amendments to the Flexible Benefits Plan allowing mid-year election changes, claims run out extensions and increase carryover limit for plan year 2020.

THAT, the Board hereby authorizes the General Manager/CEO to fill out, execute and submit any and all forms documents and agreements necessary to effectuate the Amendments to the Flexible Benefits Plan herein approved.

THAT, the Board hereby delegates authority to the General Manager/CEO to fill out, execute and submit any and all forms documents and agreements necessary to effectuate any additional contract Amendments to the Flexible Benefits Plan in response to the coronavirus (COVID-19) health emergency.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

**SACRAMENTO REGIONAL TRANSIT DISTRICT FLEXIBLE BENEFITS PLAN
AMENDMENT 2**

**ARTICLE I
PREAMBLE**

- 1.1 **Adoption and effective date of amendment.** The Employer adopts this Amendment to Sacramento Regional Transit District Flexible Benefits Plan (the "Plan"). The sponsor intends this Amendment as good faith compliance with the requirements of these provisions. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.
- 1.2 **Supersession of inconsistent provisions.** This Amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any reference to "Section" in this Amendment refers only to sections within this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section, or other numbering designations.

**ARTICLE II
ELECTIONS**

- 2.1 **Effective Date.** The provisions of this Amendment, unless otherwise indicated are effective as of January 1, 2020 (the "Effective date").
- 2.2 **Section 125 Change in Status under the Health or Dependent Care FSA.**

Effective as of the effective date, the Employer amends their plan to allow for the below change in status flexibility. This is a temporary change effective only for the plan year beginning in 2020.

On May 12, 2020, the Internal Revenue Service released guidance impacting section 125 cafeteria plans. This guidance is designed to provide temporary flexibility for employers and employees and assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19). These changes permit, under certain circumstances, prospective changes to health and dependent care FSA elections as follows:

- a) employees may revoke a health FSA election, make a new election, or decrease or increase an existing election on a prospective basis; and
- b) employees may revoke a dependent care FSA election, make a new election, or decrease or increase an existing election on a prospective basis.

Employers are not required to allow unlimited election changes but may determine the extent to which such changes are permitted and applied. Any change allowed shall not permit a revocation or decrease in election below the amount already disbursed.

This amendment has been executed this _____ day of _____, _____.

Name of Employer: _____

By: _____
EMPLOYER

CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of Sacramento Regional Transit District hereby certifies that the following resolutions were duly adopted on _____ (date) and that such resolutions have not been modified or rescinded as of the date hereof;

RESOLVED, that the Amendment to the Plan (the Amendment) is hereby approved and adopted, and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: _____

Signed: _____

[print name/title]

**SUMMARY OF MATERIAL MODIFICATIONS
for the
Sacramento Regional Transit District**

Flexible Benefits Plan

**I
INTRODUCTION**

This is a Summary of Material Modifications regarding the Employer Name Flexible Benefits Plan (the “Plan”). This is merely a summary of the most important changes to the Plan and information contained in the Summary Plan Description (“SPD”) previously provided to you. It supplements and amends that SPD so you should retain a copy of this document with your copy of the SPD. If you have any questions, contact the Administrator. If there is any discrepancy between the terms of the Plan, as modified, and this Summary of Material Modifications, the provisions of the Plan will control.

**II
SUMMARY OF CHANGES**

Section 125 Change in Status under the Health or Dependent Care FSA.

Effective as of the effective date, the Employer amends their plan to allow for the below change in status flexibility. This is a temporary change effective only for the plan year beginning in 2020.

On May 12, 2020, the Internal Revenue Service released guidance impacting section 125 cafeteria plans. This guidance is designed to provide temporary flexibility for employers and employees and assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19). These changes permit, under certain circumstances, prospective changes to health and dependent care FSA elections as follows:

- a) employees may revoke a health FSA election, make a new election, or decrease or increase an existing election on a prospective basis; and
- b) employees may revoke a dependent care FSA election, make a new election, or decrease or increase an existing election on a prospective basis.

Employers are not required to allow unlimited election changes but may determine the extent to which such changes are permitted and applied. Any change allowed shall not permit a revocation or decrease in election below the amount already disbursed.

**SACRAMENTO REGIONAL TRANSIT DISTRICT FLEXIBLE BENEFITS PLAN
AMENDMENT 3**

**ARTICLE I
PREAMBLE**

- 1.1 **Adoption and effective date of amendment.** The Employer adopts this Amendment to Sacramento Regional Transit District Flexible Benefits Plan (the "Plan"). The sponsor intends this Amendment as good faith compliance with the requirements of these provisions. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.
- 1.2 **Supersession of inconsistent provisions.** This Amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any reference to "Section" in this Amendment refers only to sections within this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section, or other numbering designations.

**ARTICLE II
ELECTIONS**

- 2.1 **Effective Date.** The provisions of this Amendment, unless otherwise indicated are effective as of January 1, 2020 (the "Effective date").
- 2.2 **Increase and Indexing of Carryover.**

Effective as of the effective date, the Employer amends their plan to increase the carryover and allow for indexing.

On May 12, 2020, the Internal Revenue Service released guidance impacting section 125 cafeteria plans. This guidance is designed to provide temporary flexibility for employers and employees and assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19).

These changes permit participants to carryover \$550 for the plan year beginning on or after January 1, 2020. Additionally, the increase in the amount that can be carried over from one plan year to the next shall be indexed for inflation.

This amendment has been executed this _____ day of _____, _____.

Name of Employer: _____

By: _____
EMPLOYER

CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of Sacramento Regional Transit District hereby certifies that the following resolutions were duly adopted on _____ (date) and that such resolutions have not been modified or rescinded as of the date hereof;

RESOLVED, that the Amendment to the Plan (the Amendment) is hereby approved and adopted, and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: _____

Signed: _____

[print name/title]

**SUMMARY OF MATERIAL MODIFICATIONS
for the**

Sacramento Regional Transit District
Flexible Benefits Plan

**I
INTRODUCTION**

This is a Summary of Material Modifications regarding the Employer Name Flexible Benefits Plan (the “Plan”). This is merely a summary of the most important changes to the Plan and information contained in the Summary Plan Description (“SPD”) previously provided to you. It supplements and amends that SPD so you should retain a copy of this document with your copy of the SPD. If you have any questions, contact the Administrator. If there is any discrepancy between the terms of the Plan, as modified, and this Summary of Material Modifications, the provisions of the Plan will control.

**II
SUMMARY OF CHANGES**

Increase and Indexing of Carryover.

Effective as of the effective date, the Employer amends their plan to increase the carryover and allow for indexing.

On May 12, 2020, the Internal Revenue Service released guidance impacting section 125 cafeteria plans. This guidance is designed to provide temporary flexibility for employers and employees and assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19).

These changes permit participants to carryover \$550 for the plan year beginning on or after January 1, 2020. Additionally, the increase in the amount that can be carried over from one plan year to the next shall be indexed for inflation.

SACRAMENTO REGIONAL TRANSIT DISTRICT FLEXIBLE BENEFITS PLAN AMENDMENT 4

ARTICLE I PREAMBLE

- 1.1 **Adoption and effective date of amendment.** The Employer adopts this Amendment to Sacramento Regional Transit District Flexible Benefits Plan (the "Plan"). The sponsor intends this Amendment as good faith compliance with the requirements of these provisions. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.
- 1.2 **Supersession of inconsistent provisions.** This Amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any reference to "Section" in this Amendment refers only to sections within this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section, or other numbering designations.

ARTICLE II ELECTIONS

- 2.1 **Effective Date.** The provisions of this Amendment, unless otherwise indicated are effective as of May 1, 2020 (the "Effective date").
- 2.2 **Health and Day Care FSA Claims Run-Out Extensions.**

The employer hereby amends the Plan as follows:

On April 29, 2020, the Department of Labor, Revenue, and Treasury (the "Departments") issued guidance extending certain timeframes for group health plans during the COVID-19 National Emergency.

As background, on March 13, 2020, President Trump issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak and by separate letter declared a national emergency under the Stafford Act effective March 1, 2020.

As a result of the National Emergency, the Departments recognized that participants may find it difficult to meet or comply with certain pre-established timeframes, specifically the health and day care FSA claims run out and the FSA appeals timeline.

The guidance announced that plans, "must disregard the period from March 1, 2020 until sixty (60) days after the announced end of the National Emergency or such other date announced by the Agencies [Departments] in a future notice (the "Outbreak Period") for all plan participants, beneficiaries, qualified beneficiaries, or claimants wherever located in determining the following periods and dates— "

Pursuant to this guidance the Employer amends the plan to extend the following timeframes that apply to Employer's Health and Day Care FSA. Specifically, any claims run-out or appeals timeframes that fall within the outbreak period shall be tolled (paused or suspended) and added onto the end of the outbreak period to create the new applicable deadline. The following examples are illustrative.

- 1) **The Health and Day Care FSA Claims Timeframes.** The date within which individuals must file a claim under the plan's claims procedures.

The following examples illustrate the application of the guidance to the claims run-out deadline.

January 1st – December 31st Plan Year.

Employer's plan runs January through December with a ninety-day claims run-out period ending March 31, 2020. The national emergency is effective March 1, 2020. Assume the end of the national emergency is May 31, 2020, thus the end of the outbreak period is 60 days after May 31, 2020, or July 30, 2020. Since the time is tolled during the outbreak period beginning March 1, 2020, until March 31, 2020 (the end of the original claims filing period), those days are added to the end of the outbreak period. The new claims runout deadline is **August 29, 2020**.

February 1st – January 31st Plan Year.

Employer's plan runs February 1st through January 31st with a ninety-day claims run-out period ending April 30, 2020. The national emergency is effective March 1, 2020. Assume the end of the national emergency is May 31, 2020, thus the end of the outbreak period is 60 days after May 31, 2020, or July 30, 2020. Since the time is tolled during the outbreak period beginning March 1, 2020, until April 30, 2020 (the end of the original claims filing period), those days are added to the end of the outbreak period. The new claims runout deadline is **September 28, 2020**.

March 1st – February 29th Plan Year.

Employer's plan runs March 1st through February 29th with a ninety-day claims run-out period ending May 29, 2020. The national emergency is effective March 1, 2020. Assume the end of the national emergency is May 31, 2020, thus the end of the outbreak period is 60 days after May 31, 2020, or July 30, 2020. Since the time is tolled during the outbreak period beginning March 1, 2020, until May 29, 2020 (the end of the original claims filing period), those days are added to the end of the outbreak period. The new claims runout deadline is **October 27, 2020**.

- 2) **Appeal Deadlines.** The date within which claimants may file an appeal of an adverse benefit determination under the plan's claims procedure. Participants typically have 180 days to appeal a Health FSA denial. This extension does not apply to the day care FSA.

The following example illustrates the application of the guidance to the appeals deadline.

Assume the end of the outbreak period is July 30, 2020. FSA participant receives a denial of her FSA claim on March 15, 2020. She normally has 180 days from March 15, 2020, to file an appeal. Since the timeframe beginning March 15, 2020, (the date of the denial) through the end of the Outbreak period (July 30, 2020) is disregarded, she now has until June 12, 2021, to file her appeal. In this example we add the 137 days tolled from March 15, 2020, through July 30, 2020, to the end of the outbreak period plus the 180 days to appeal.

This amendment has been executed this _____ day of _____, _____.

Name of Employer: _____

By: _____
EMPLOYER

CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of Sacramento Regional Transit District hereby certifies that the following resolutions were duly adopted on _____ (date) and that such resolutions have not been modified or rescinded as of the date hereof;

RESOLVED, that the Amendment to the Plan (the Amendment) is hereby approved and adopted, and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: _____

Signed: _____

[print name/title]

**SUMMARY OF MATERIAL MODIFICATIONS
for the**

Sacramento Regional Transit District
Flexible Benefits Plan

**I
INTRODUCTION**

This is a Summary of Material Modifications regarding the Employer Name Flexible Benefits Plan (the “Plan”). This is merely a summary of the most important changes to the Plan and information contained in the Summary Plan Description (“SPD”) previously provided to you. It supplements and amends that SPD so you should retain a copy of this document with your copy of the SPD. If you have any questions, contact the Administrator. If there is any discrepancy between the terms of the Plan, as modified, and this Summary of Material Modifications, the provisions of the Plan will control.

**II
SUMMARY OF CHANGES**

Health and Day Care FSA Claims Run-Out Extensions.

The employer hereby amends the Plan as follows:

On April 29, 2020, the Department of Labor, Revenue, and Treasury (the “Departments”) issued guidance extending certain timeframes for group health plans during the COVID-19 National Emergency.

As background, on March 13, 2020, President Trump issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak and by separate letter declared a national emergency under the Stafford Act effective March 1, 2020.

As a result of the National Emergency, the Departments recognized that participants may find it difficult to meet or comply with certain pre-established timeframes, specifically the health and day care FSA claims run out and the FSA appeals timeline.

The guidance announced that plans, "must disregard the period from March 1, 2020 until sixty (60) days after the announced end of the National Emergency or such other date announced by the Agencies [Departments] in a future notice (the “Outbreak Period”) for all plan participants, beneficiaries, qualified beneficiaries, or claimants wherever located in determining the following periods and dates— "

Pursuant to this guidance the Employer amends the plan to extend the following timeframes that apply to Employer’s Health and Day Care FSA. Specifically, any claims run-out or appeals timeframes that fall within the outbreak period shall be tolled (paused or suspended) and added onto the end of the outbreak period to create the new applicable deadline. The following examples are illustrative.

- 1) **The Health and Day Care FSA Claims Timeframes.** The date within which individuals must file a claim under the plan’s claims procedures.

The following examples illustrate the application of the guidance to the claims run-out deadline.

January 1st – December 31st Plan Year.

Employer’s plan runs January through December with a ninety-day claims run-out period ending March 31, 2020. The national emergency is effective March 1, 2020. Assume the end of the national emergency is May 31, 2020, thus the end of the outbreak period is 60 days after May 31, 2020, or July 30, 2020. Since the time is tolled during the outbreak period beginning March 1, 2020, until March 31, 2020 (the end of the original claims filing period), those days are added to the end of the outbreak period. The new claims runout deadline is **August 29, 2020.**

February 1st – January 31st Plan Year.

Employer’s plan runs February 1st through January 31st with a ninety-day claims run-out period ending April 30, 2020. The national emergency is effective March 1, 2020. Assume the end of the national emergency is

May 31, 2020, thus the end of the outbreak period is 60 days after May 31, 2020, or July 30, 2020. Since the time is tolled during the outbreak period beginning March 1, 2020, until April 30, 2020 (the end of the original claims filing period), those days are added to the end of the outbreak period. The new claims runout deadline is **September 28, 2020**.

March 1st – February 29th Plan Year.

Employer's plan runs March 1st through February 29th with a ninety-day claims run-out period ending May 29, 2020. The national emergency is effective March 1, 2020. Assume the end of the national emergency is May 31, 2020, thus the end of the outbreak period is 60 days after May 31, 2020, or July 30, 2020. Since the time is tolled during the outbreak period beginning March 1, 2020, until May 29, 2020 (the end of the original claims filing period), those days are added to the end of the outbreak period. The new claims runout deadline is **October 27, 2020**.

- 2) **Appeal Deadlines.** The date within which claimants may file an appeal of an adverse benefit determination under the plan's claims procedure. Participants typically have 180 days to appeal a Health FSA denial. This extension does not apply to the day care FSA.

The following example illustrates the application of the guidance to the appeals deadline.

Assume the end of the outbreak period is July 30, 2020. FSA participant receives a denial of her FSA claim on March 15, 2020. She normally has 180 days from March 15, 2020, to file an appeal. Since the timeframe beginning March 15, 2020, (the date of the denial) through the end of the Outbreak period (July 30, 2020) is disregarded, she now has until June 12, 2021, to file her appeal. In this example we add the 137 days tolled from March 15, 2020, through July 30, 2020, to the end of the outbreak period plus the 180 days to appeal.

**SACRAMENTO REGIONAL TRANSIT DISTRICT FLEXIBLE BENEFITS PLAN
AMENDMENT 5**

**ARTICLE I
PREAMBLE**

- 1.1 **Adoption and effective date of amendment.** The Employer adopts this Amendment to Sacramento Regional Transit District Flexible Benefits Plan (the "Plan"). The sponsor intends this Amendment as good faith compliance with the requirements of these provisions. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.
- 1.2 **Supersession of inconsistent provisions.** This Amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any reference to "Section" in this Amendment refers only to sections within this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section, or other numbering designations.

**ARTICLE II
ELECTIONS**

- 2.1 **Effective Date.** The provisions of this Amendment, unless otherwise indicated are effective as of May 1, 2020 (the "Effective date").
- 2.2 **COBRA Election and Payment Deadlines Extended to after the "Outbreak Period"**

On April 29, 2020, the Department of Labor, Revenue, and Treasury (the "Departments") issued guidance extending certain timeframes for group health plans during the COVID-19 National Emergency.

As background, on March 13, 2020, President Trump issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak and by separate letter declared a national emergency under the Stafford Act effective March 1, 2020.

As a result of the National Emergency, the Departments recognized that participants may find it difficult to meet or comply with certain pre-established timeframes, specifically the COBRA election period and payment timeline. The guidance announced that plans, "must disregard the period from March 1, 2020 until sixty (60) days after the announced end of the National Emergency or such other date announced by the Agencies [Departments] in a future notice (the 'Outbreak Period') for all plan participants, beneficiaries, qualified beneficiaries, or claimants wherever located in determining the following periods and dates— "

Pursuant to this guidance the Employer amends the plan to extend the following timeframes:

COBRA Continuation Coverage. The Outbreak Period is disregarded in applying the time limits for an individual to notify the Plan of certain qualifying events, to elect COBRA continuation coverage and to timely pay the applicable COBRA premiums

This amendment has been executed this _____ day of _____, _____.

Name of Employer: _____

By: _____
EMPLOYER

CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of Sacramento Regional Transit District hereby certifies that the following resolutions were duly adopted on _____ (date) and that such resolutions have not been modified or rescinded as of the date hereof;

RESOLVED, that the Amendment to the Plan (the Amendment) is hereby approved and adopted, and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: _____

Signed: _____

[print name/title]

SUMMARY OF MATERIAL MODIFICATIONS for the

Sacramento Regional Transit District
Flexible Benefits Plan

I INTRODUCTION

This is a Summary of Material Modifications regarding the Employer Name Flexible Benefits Plan (the "Plan"). This is merely a summary of the most important changes to the Plan and information contained in the Summary Plan Description ("SPD") previously provided to you. It supplements and amends that SPD so you should retain a copy of this document with your copy of the SPD. If you have any questions, contact the Administrator. If there is any discrepancy between the terms of the Plan, as modified, and this Summary of Material Modifications, the provisions of the Plan will control.

II SUMMARY OF CHANGES

COBRA Election and Payment Deadlines Extended to after the "Outbreak Period"

On April 29, 2020, the Department of Labor, Revenue, and Treasury (the "Departments") issued guidance extending certain timeframes for group health plans during the COVID-19 National Emergency.

As background, on March 13, 2020, President Trump issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak and by separate letter declared a national emergency under the Stafford Act effective March 1, 2020.

As a result of the National Emergency, the Departments recognized that participants may find it difficult to meet or comply with certain pre-established timeframes, specifically the health and day care FSA claims run out and the FSA appeals timeline.

The guidance announced that plans, "must disregard the period from March 1, 2020 until sixty (60) days after the announced end of the National Emergency or such other date announced by the Agencies [Departments] in a future notice (the 'Outbreak Period') for all plan participants, beneficiaries, qualified beneficiaries, or claimants wherever located in determining the following periods and dates—".

Pursuant to this guidance the Employer amends the plan to extend the following timeframes:

COBRA Continuation Coverage. The Outbreak Period is disregarded in applying the time limits for an individual to notify the Plan of certain qualifying events, to elect COBRA continuation coverage and to timely pay the applicable COBRA premiums. The following examples illustrate the application of the guidance to these COBRA time limits:

Notification of Certain Qualifying Events. The employee or ex-spouse must notify the Plan within 60 days of a divorce in order for the ex-spouse to be eligible to elect COBRA continuation coverage. The couple's judgment of divorce is entered on March 31, 2020. The 60 day notice period would otherwise end on May 30, 2020. However, if the Outbreak Period ends on July 30, 2020 (see above example), notice will be timely if provided by no later than September 28, 2020 (60 days after the Outbreak Period ends).

Electing COBRA. The employee experiences a qualifying event and is provided an election notice on February 23, 2020. The 60 day notice period would otherwise end on April 23, 2020. However, the Outbreak Period started on March 1, 2020 and if it ends on July 30, 2020 (see above example), the first 6 days of the 60 day election period occurred before the Outbreak Period began and the remaining 54 days occur after the Outbreak Period ends. As a result, the employee has until September 22, 2020 to timely elect COBRA continuation coverage.

COBRA Premium Payments. The employee experiences a qualifying event in 2019 and elects COBRA continuation coverage. Monthly payment for March, April, May and June 2020 are due on the first day of the applicable month, with a 30 day grace period for timely payment. The Outbreak Period began on March 1, 2020 and assuming it ends on July 30, 2020 (see above example), the employee has 30 days until after July 30, 2020 (August 29, 2020) to timely make the monthly premiums for these four months.



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: AUTHORIZING THE EXECUTION OF THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) PROJECT(S), AND CERTIFICATIONS AND ASSURANCES, AND SUBMITTAL OF PROJECT NOMINATIONS AND ALLOCATION REQUESTS TO CALTRANS FOR FISCAL YEAR 2019/20

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approval of this action will allow the General Manager/CEO to submit and execute the Department of Transportation (Caltrans) FY19-20 Low Carbon Transit Operations Program (LCTOP) grants and allow SacRT to receive a total of \$3,848,383 in funding, which includes an additional \$290,394 for the Expanded Route 68 service.

FISCAL IMPACT

SacRT included \$3,157,989 and \$400,00 in LCTOP funds in the Board approved FY21 Operating and Capital budgets, respectively. The \$290,394 increase was not budgeted therefore, it will increase Operating LCTOP funds to \$3,448,383 for FY21.

DISCUSSION

The Low Carbon Transit Operations Program (LCTOP) is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862. The LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emission and improve mobility, with a priority on serving disadvantaged communities. Approved projects in LCTOP will support new or expanded bus or rail services, expand intermodal transit facilities, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, with each project reducing greenhouse gas emissions.

Staff recommends authorizing the General Manager/CEO to submit/execute FY19-20 Caltrans, LCTOP grants, to be utilized in FY21.

RESOLUTION NO. 20-07-0069

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

AUTHORIZING THE EXECUTION OF THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) PROJECT(S), AND CERTIFICATIONS AND ASSURANCES, AND SUBMITTAL OF PROJECT NOMINATIONS AND ALLOCATION REQUESTS TO CALTRANS FOR FISCAL YEAR 2019/20

WHEREAS, the Sacramento Regional Transit District is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects, and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, the Sacramento Regional Transit District wishes to implement the LCTOP projects listed in Exhibit A; and

WHEREAS, the Sacramento Regional Transit District Board of Directors wishes to delegate authorization to execute these documents and any amendments thereto to Henry Li, SacRT's General Manager/CEO.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby agrees to comply with all conditions and requirements, including Disadvantaged Community and Low-Income Community requirements, set forth in the applicable statutes, regulations, and guidelines for all LCTOP funded transit projects.

THAT, the Board hereby authorizes the submittal of the project nominations and allocation requests to the Department in FY 2019/20 LCTOP funds for the projects listed in Exhibit A.

THAT, the Board hereby agrees to comply with all the conditions and requirements set forth in the Certifications and Assurances listed in Exhibit B for all Fiscal Year FY 2019/20 LCTOP funded transit projects.

THAT, the Board hereby authorizes Henry Li, SacRT General Manager/CEO to execute all required documents of the LCTOP program and any amendments thereto with the California Department of Transportation.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

Exhibit A

SACRAMENTO REGIONAL TRANSIT DISTRICT FY 19-20 LOW CARBON OPERATIONS PROGRAM (LCTOP) ALLOCATION REQUEST PROJECT LIST

1) Folsom Late Night Light Rail Service

FY 19-20 LCTOP Funds requested \$ 1,081,885

Description: Operate late night Light Rail Service along the Folsom segment of the Gold Line in FY 2020/21

Contributing Sponsors: City of Folsom

DAC Status: Not in a AB 1550 Community

2) Purchase of Expansion Light Rail Vehicle

FY 19-20 LCTOP Funds requested \$ 400,000

Description: Purchase on expansion new low-floor light rail vehicle to be operated on the North Eastern Corridor

Contributing Sponsors: Sacramento Area Council of Governments

DAC Status: In all three AB 1550 Community; Disadvantaged Communities (DAC), Low-Income Communities and Low Income within ½ a Mile of a DAC

3) Expanded Route 11 Service

FY 19-20 LCTOP Funds requested \$ 574,544

Description: Route 11 service expansions as part of the SacRT Forward service improvements

Contributing Sponsors: Sacramento Area Council of Governments

DAC Status: In all three AB 1550 Community; Disadvantaged Communities (DAC), Low-Income Communities and Low Income within ½ a Mile of a DAC

4) Expanded Route 13 Service

FY 19-20 LCTOP Funds requested \$ 732,325

Description: Route 13 service expansions as part of the SacRT Forward service improvements

Contributing Sponsors: Sacramento Area Council of Governments

DAC Status: In all three AB 1550 Community; Disadvantaged Communities (DAC), Low-Income Communities and Low Income within ½ a Mile of a DAC

5) Expanded Route 68 Service

FY 19-20 LCTOP Funds requested \$ 1,059,629

Description: Route 68 service expansions as part of the SacRT Forward service improvements

Contributing Sponsors: Sacramento Area Council of Governments

DAC Status: In all three AB 1550 Community; Disadvantaged Communities (DAC), Low-Income Communities and Low Income within ½ a Mile of a DAC



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: AUTHORIZING SACRT TO ENTER INTO A PROMISSORY NOTE WITH AFCO ACCEPTANCE CORPORATION TO TEMPORARILY FINANCE THE FY21 INSURANCE PREMIUMS

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the attached Resolution authorizes the execution of a Premium Finance Agreement – Promissory Note with AFCO, which provides temporary financing of the FY21 Excess Liability Insurance Premiums.

FISCAL IMPACT

The cost of the insurance premiums and the interest cost associated with the short-term borrowing were included in the FY21 Board approved budget. The premiums for the excess liability coverage for FY21 are \$5,316,818 and the interest associated with the borrowing is a maximum amount of \$56,361.

DISCUSSION

Each year SacRT performs extensive market outreach and negotiations to obtain the most competitive insurance rates for excess liability coverage, over SacRT's self-insured level. Due to the timing of receiving the final insurance approvals, the financing agreement, and a spread in the Board meeting dates, staff moved forward with executing the Premium Finance Agreement – Promissory Note (Note), in order to secure coverage.

The premiums are due in a lump sum at the time the coverage is extended, which for SacRT is July 1, to be in alignment with the fiscal year. Due to the cost of the premiums and the timing of receipt of SacRT's Preventative Maintenance (PM) funds, approximately \$35 Million received between July and September, it is advantageous for SacRT to finance the premiums and pay off the Promissory Note, in full, when all the PM funds are received.

SacRT has the authority to issue a Promissory Note to AFCO under California Government Code §53852; however, California Government Code §53853 requires a Board adopted Resolution to issue and execute the Note. §53854 requires that SacRT

repay the note within the same fiscal year. SacRT intends to repay the note before the end of calendar year 2020.

Staff is seeking authorization from the Board authorizing the issuance of a Promissory Note with AFCO for the FY21 Excess Liability Insurance Premiums and authorizing the General Manager/CEO to execute the Note and any other applications, forms or documents necessary to effectuate the issuance and repayment of the Promissory Note, conditioned on the Promissory Note being repaid within a year of issuance of the Note.

RESOLUTION NO. 20-07-0070

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

**AUTHORIZING SACRT TO ENTER INTO A PROMISSORY NOTE WITH AFCO
ACCEPTANCE CORPORATION TO TEMPORARILY FINANCE THE FY21
INSURANCE PREMIUMS**

WHEREAS, in accordance with Section 53852 of the California Government Code, Sacramento Regional Transit District ("SacRT") may issue a Promissory Note ("Note") to temporarily borrow funds to be expended in any manner that is consistent with its authority to spend funds; and

WHEREAS, in accordance with Section 53853 the issuance of such Note must be made by Resolution duly adopted by the Governing Board authorizing the issuance of the Note; and

WHEREAS, in accordance with Section 53854 of the California Government Code, SacRT must repay the Note within the fiscal year.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby authorizes the Sacramento Regional Transit District, through its General Manager/CEO to issue a Promissory Note ("Note") pursuant to California Government Code Section 53852 and 53853, authorizing the repayment of a short-term loan from AFCO in the amount of \$5,316,817.51, plus interest accrued.

THAT, the Board hereby authorizes the General Manager/CEO to execute said Note and any other applications, forms, agreements, or other documents necessary to effectuate the issuance and repayment of the Note, conditioned upon the requirement that the Note must be repaid in full in the same fiscal year in which the debt is incurred, as required by California Government Code Section 53854.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Laura Ham, VP, Planning and Engineering
SUBJ: APPROVING AMENDMENT NO. 3 TO WORK ORDER NO. 2 TO THE CONTRACT FOR ENVIRONMENTAL SUPPORT SERVICES WITH AECOM TECHNICAL SERVICES INC FOR 15-MINUTE LIGHT RAIL SERVICE TO HISTORIC FOLSOM

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

As a result of the recommended action, AECOM Technical Services, Inc. (AECOM) would complete its assistance to SacRT in obtaining environmental clearance from the Federal Transit Administration (FTA) under the National Environmental Policy Act (NEPA) for the Gold Line passing track project, which will enable SacRT to move forward with final design and construction of the project to provide 15-minute service to Folsom.

FISCAL IMPACT

The not-to-exceed cost of the Amendment No. 3 is \$24,289.68. Amendment No. 3 is being funded with ECOS settlement funds.

DISCUSSION

At the August 27, 2018 meeting, the SacRT Board approved Work Order No. 2 to the Contract for Environmental Support Services with AECOM, with a not-to-exceed amount of \$356,000, to perform environmental review and Environmental Clearance under the California Environmental Quality Act (CEQA) and NEPA and preliminary engineering (approximately 35% design) for extending 15-minute service to Historic Folsom Light Rail Station along SacRT's Gold Line.

On January 8, 2020, the parties entered into Amendment No. 1 to the Work Order to add \$50,000 to compensate additional effort by AECOM for both the CEQA and NEPA clearance that was not anticipated as part of the original scope. The Board approved the CEQA document for the project in January 2020. Currently, SacRT is still working to obtain NEPA clearance from FTA. FTA has required SacRT to engage in formal consultation with the federal Fish and Wildlife Service and prepare a Biological Assessment regarding elderberry bushes that may be critical habitat for the Valley Longhorn Elderberry Beetle. This requirement was not an anticipated part of the

environmental clearance requirement. Amendment No. 2 to the Work Order did not add funds, but allow AECOM to claim a profit/fee for the unanticipated work.

Amendment No. 3 will provide additional funding needed to support the work by AECOM to finalize the federal NEPA clearance for the project, which is a prerequisite to starting final design for the project.

Staff recommends approval of the Amendment No. 3 to Work Order No. 2 to complete the Biological Assessment and participate in all formal consultation with the federal Fish and Wildlife Service to obtain FTA NEPA clearance for an amount not to exceed \$24,289.68.

RESOLUTION NO. 20-07-0071

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

APPROVING AMENDMENT NO. 3 TO WORK ORDER NO. 2 TO THE CONTRACT FOR ENVIRONMENTAL SUPPORT SERVICES WITH AECOM TECHNICAL SERVICES INC FOR 15-MINUTE LIGHT RAIL SERVICE TO HISTORIC FOLSOM

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, Amendment No. 3 to Work Order No. 2 to the Contract for Environmental Support Services by and between Sacramento Regional Transit District (therein "SacRT") and AECOM Technical Services, Inc. (therein "Consultant"), whereby Consultant agrees to perform work necessary to assist SacRT in obtaining clearance under the National Environmental Policy Act (NEPA) from the Federal Transit Administration for the 15-minute light rail service to Historic Folsom project, for an amount not to exceed \$24,289.68, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing Amendment No. 3 to Work Order No. 2.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Brent Bernegger, VP, Finance/CFO

SUBJ: AUTHORIZE THE GENERAL MANAGE/CEO TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THE TRANSIT-ORIENTED DEVELOPMENT HOUSING PROGRAM

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approval of this action will authorize the General Manager/CEO to submit an application to the California Department of Housing and Community Development under the Transit-Oriented Development (TOD) Housing Program.

FISCAL IMPACT

Allows the General Manager/CEO to apply for \$2.55 million of TOD funding in FY20-21 for low-floor light rail station conversions at 13th Street and Archives Plaza along the Gold Line. As part of the grant application, SacRT is committing to provide a 50% discount for 56 monthly passes over four years at a maximum fare revenue loss of \$134,400 (\$33,600 per year). Grant funds cannot be used to reimburse SacRT for the monthly passes. If grant funding is not awarded, SacRT and its project partner, Capital Area Development Authority (CADA) will determine alternative means to supply the monthly passes.

DISCUSSION

On April 30, 2020, the California Department of Housing and Community Development announced the release of a Notice of Funding Availability (NOFA) for approximately \$141 million in funds for the TOD Housing Program. These funds provide low-interest permanent loans to eligible Sponsors for Rental Housing Developments and grants to localities and public transit agencies for infrastructure projects. These funds will be used to provide financial assistance for Rental Housing Developments and Infrastructure Projects in support of higher-density affordable and mixed-income housing and mixed-use infill development projects. The primary objectives are to increase the overall supply of housing, increase the supply of affordable housing, increase public transit ridership, and minimize automobile trips.

SacRT is partnering with CADA to build stronger community relationships and leverage the specialties of both agencies. SacRT's FY 20-21 TOD Housing Program request is for the conversion of the 13th Street and Archives Plaza light rail stations to allow low-floor light rail vehicles to serve this station.

The estimated total cost for the conversion of the two light rail stations is \$3.43 million, SacRT has already secured \$880,000 for this project. The station conversions are part of the Light Rail Modernization Project Phase 1 (Gold Line) which intends to significantly improve access, reliability and capacity on SacRT's light rail system and consists of three major components: procurement of new low-floor light rail vehicles (LRV), conversion of all 29 Gold Line light rail stations, and track and signal work needed to provide 15 minute service to the Historic Folsom Light Rail Station.

CADA has a TOD project at 1322 O Street, approximately 2 blocks from the Archives Plaza light rail station. SacRT will partner with CADA by providing monthly passes to all 56 low income units for four years. If SacRT is awarded funding, SacRT will provide a 50% discount for 56 monthly passes over four years. By providing this discount, this will strengthen SacRT's chances of receiving the award and provide an incentive to attract new riders to the system. If grant funding is not awarded, SacRT and CADA will determine alternative means to supply the monthly passes.

Staff recommends that the Board authorize the General Manager/CEO to apply for a TOD grant from the California Department of Housing and Community Development.

RESOLUTION NO. 20-07-0072

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

AUTHORIZE THE GENERAL MANAGE/CEO TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THE TRANSIT-ORIENTED DEVELOPMENT HOUSING PROGRAM

WHEREAS, the California Department of Housing and Community Development ("Department") has issued a Notice of Funding Availability ("NOFA") dated April 30, 2020, under the Transit-Oriented Development ("TOD") Housing Program; and

WHEREAS, the Sacramento Regional Transit District (SacRT) desires to apply for and receive an allocation of funds through the TOD Program for the 13th St. and Archives Plaza Light Rail Station Conversion; and

WHEREAS SacRT is an Eligible Applicant under the TOD Program and desires to apply for a TOD Program Grant ("TOD Grant") in an amount not to exceed \$2,550,000 to develop infrastructure in support of affordable housing ("TOD Project") under the above described NOFA.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, Sacramento Regional Transit District (SacRT) is hereby authorized and directed to act in connection with the Department's TOD Grant pursuant to the above-mentioned NOFA.

THAT, in connection with the SacRT's TOD Grant, SacRT is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above Resolution, in order to evidence the TOD Grant, the SacRT's obligations related thereto, and the Department's security therefore; including, but not limited to, an affordable housing covenant, a performance deed of trust, a disbursement agreement, and certain other documents required by the Department as security for, evidence of or pertaining to the TOD Grant, and all amendments thereto (collectively, the "TOD Grant Documents").

THAT, the General Manager/CEO is hereby authorized to execute the TOD Grant Documents, and any amendment or modifications thereto, on behalf of the SacRT.

RESOLVED FURTHER: That this Resolution shall take effect immediately upon its passage.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: July 27, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Devra Selenis, VP, Communications and Partnerships

SUBJ: DELEGATING AUTHORITY TO THE GENERAL MANAGER TO: AMEND AND RESTATE THE AGREEMENT FOR LIGHT RAIL VEHICLE AND STATION ADVERTISING WITH LAMAR TRANSIT LLC; AND TEMPORARILY AMEND AND RESTATE THE AGREEMENT FOR BUS VEHICLE ADVERTISING WITH LAMAR TRANSIT LLC

RECOMMENDATION

Adopt the Attached Resolutions.

RESULT OF RECOMMENDED ACTION

The first recommended action will delegate authority to the General Manager/CEO to negotiate and restate the contract with Lamar Transit, LLC for interior and exterior light rail vehicle advertising adjusting the amount of the annual Guarantee (compensation) owed by Lamar Transit, LLC to SacRT based on a reduction in the number of light rail vehicles available for service for contract years four and five, and future option years.

The second recommended action will delegate authority to the General Manager/CEO to negotiate a temporary amendment to the contract with Lamar Transit, LLC for interior and exterior bus advertising due to the significant drop in advertising sales as a result of COVID-19.

FISCAL IMPACT

SacRT budgeted to receive advertising revenue for both bus and rail in FY21. Lamar has requested a one-year reprieve on the bus Minimum Annual Guarantee (MAG) and an adjustment to the light rail MAG based on number of available vehicles. SacRT is seeking authority for the General Manager/CEO to enter into an agreement in which the MAGs are reduced because of COVID-19 and vehicle availability.

The maximum annual revenue loss for bus and rail advertising is estimated at \$600,000 and \$500,000, respectively. The maximum loss would only be realized if the contracts were terminated. There will be an executive report out to the Board when the negotiations have been finalized.

DISCUSSION

With an aging fleet of light rail vehicles, many well past their useful life, the number of light rail vehicles out for service is impacting the terms and conditions of the agreement

with Lamar Transit, LLC for interior and exterior light rail vehicle advertising. The MAG was based on a formula using up to 85 light rail vehicles to determine the amount Lamar Transit, LLC would pay SacRT each contract year.

SacRT's light rail vehicle and station agreement with Lamar just entered the second half of the fourth year of a five-year contract period (18 months remaining). As SacRT's aging light rail fleet continues to require significant maintenance, Lamar Transit, LLC is struggling to balance advertiser commitments with having to cover the cost of rewrapping light rail trains that are often out of service for maintenance for more than 60 days at a time. As a result, Lamar Transit, LLC has asked SacRT to renegotiate the terms of the contract to: 1) reduce the number of available light rail vehicles for advertising from 85 down to the most reliable, of the current fleet; and 2) reduce the MAG based on the number of available light rail vehicles per the vehicle calculations in the contract for the remaining 18 months.

SacRT contracts with Lamar Transit, LLC for the sale of interior and exterior advertising on our light rail vehicles and buses. Lamar Transit, LLC, like so many businesses, has been significantly impacted as a result of the COVID-19 pandemic experiencing a drastic reduction in ad revenues due to the following:

- Active advertising contracts have been cancelled due to events and other social gathering restrictions or cancellations
- Suspended billing while businesses are closed and/or under government restrictions
- Renewing campaigns are stagnant with increasing attrition rates
- Revenue through new business development is virtually nonexistent
- Delinquent and non-payment of invoices for services rendered to advertising clients

SacRT has had a long-standing collaboration with Lamar Transit, LLC that has provided additional revenue for SacRT over the last four years, and helped improve SacRT's image by wrapping light rail trains instead of SacRT having to cover the cost of repainting the fleet. Staff recommends that the Board authorize the General Manager/CEO to enter into negotiations for both the bus and light rail advertising agreements with Lamar Transit, LLC to temporarily reduce the MAG for the bus contract and renegotiate the contract for light rail advertising.

RESOLUTION NO. 20-07-0073

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

**DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO NEGOTIATE
AND RESTATE THE AGREEMENT FOR LIGHT RAIL VEHICLE AND STATION
ADVERTISING WITH LAMAR TRANSIT LLC.**

WHEREAS, on December 6, 2016, Sacramento Regional Transit District ("SacRT") and Lamar Transit, LLC ("Lamar") entered into the Contract for Light Rail Vehicle and Station Advertising ("Agreement") wherein SacRT agreed to provide to Lamar access up to 85 light rail vehicles for the purpose of installing ads on the exterior of the vehicles and Lamar agreed to pay SacRT a minimum annual guarantee ("MAG") in the amount of \$600,000; and

WHEREAS, due to the aging state of SacRT's light rail vehicle fleet, SacRT cannot guarantee Lamar, access to 85 light rail vehicles (LRV) on a regular and consistent basis; and

WHEREAS, Lamar is incurring unexpected costs in wrapping and re-wrapping LRVs in advertisements due to the consistent unavailability of LRVs; and

WHEREAS, Lamar has requested that SacRT agree to amend and restate the Agreement to reduce the number of LRVs available to Lamar Transit and reduce the minimum annual guarantee (MAG) commensurate with the reduction in available LRVs.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby authorizes the General Manager/CEO to enter into negotiations with Lamar Transit, LLC to amend and restate the Contract for Light Rail Vehicle and Station Advertising to modify the number of available light rail vehicles and negotiate a reduction in the MAG paid annually to SacRT; and

THAT, the General Manager/CEO is hereby authorized to execute an Amended and Restated Contract for Light Rail Vehicle and Station Advertising upon completion of successful negotiations with Lamar Transit, LLC; and

THAT, the General Manager/CEO is hereby directed to provide the Board with a status report upon completion of negotiations and execution of the amended and restated Agreement between SacRT and Lamar Transit, LLC.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-07-0074

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 27, 2020

DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO NEGOTIATE A TEMPORARY AGREEMENT FOR BUS VEHICLE ADVERTISING WITH LAMAR TRANSIT LLC.

WHEREAS, on July 10, 2017, Sacramento Regional Transit District ("SacRT") and Lamar Transit LLC ("Lamar") entered into a Contract for Bus Vehicle Advertising ("Agreement") whereby Lamar was to sell advertising space on the interior and exterior of SacRT's buses and Lamar agreed to pay SacRT an minimum annual guarantee (MAG) payment of \$500,000; and

WHEREAS, due to the COVID-19 pandemic, Lamar has been unable to sell ad space on SacRT's buses to businesses, organizations and other third parties due to the cancellation of events, the shutdown of businesses, and the general economic slow-down resulting from the COVID-19 pandemic; and

WHEREAS, Lamar has requested that SacRT agree to temporarily reduce or eliminate Lamar's contractual obligation to pay the MAG for the duration of the COVID-19 pandemic.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, due to the COVID-19 pandemic, the Board hereby authorizes the General Manager/CEO to enter into negotiations to amend the Contract for Bus Vehicle Advertising between Sacramento Regional Transit District and Lamar Transit LLC whereby the parties agree to a temporary reduction of the MAG payment due and payable to SacRT of the Contract to an amount that the General Manager/CEO determines to be fair and equitable given the current circumstances; and

THAT, the General Manager/CEO is hereby authorized to execute the resulting Amendment to the Contract for Bus Vehicle Advertising upon completion of contract negotiations; and

THAT, the General Manager/CEO is hereby directed to provide the Board with a status report upon completion of negotiations and execution of the Amendment to the Contract for Bus Vehicle Advertising.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

Agenda Item 3.1

Congressman Ami Bera



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Henry Li, General Manager/CEO
SUBJ: GENERAL MANAGER'S REPORT

RECOMMENDATION

No Recommendation — For Information Only.

Wi-Fi Bus Project

Presentation by Lori Pepper, Deputy Secretary for Innovative Mobility Solutions for the California State Transportation Agency (CalSTA)

SacRT Go Service Transition Update

PowerPoint Presentation

Paratransit Inc. Board Meeting (June 15)

Report attached

Capitol Corridor JPA Meeting (June 17)

Report attached

SacRT Meeting Calendar

Regional Transit Board Meeting

August 10, 2020
SacRT Auditorium / Webconference
5:30 P.M

Quarterly Retirement Board Meeting

September 9, 2020
SacRT Auditorium / Webconference
9:00 A.M.

Mobility Advisory Council Meeting

August 6, 2020
SacRT Auditorium / Webconference
2:30 P.M.

Agenda Item 8.1

Wi-Fi Bus Project
Presentation by Lori J. Pepper
Deputy Secretary for Innovative Mobility Solutions

CalSTA
California State Transportation Agency

CalSTA Mobile Hotspot Proof of Concept

POC: May 4th- June 30th 2020

Mobile Hotspot Playbook available at:
<http://calsta.ca.gov>

Lori Pepper, Deputy Secretary for Innovative Mobility Solutions



Purpose and Opportunities

The convergence of an immediate need for additional broadband connections and the sudden availability of transit buses due to decreased ridership and the number of transit routes being offered led to the creation of the mobile hotspot proof of concept.

We used the resources at hand to help solve an urgent problem in the community.

A transit bus (or school bus, bookmobile, paratransit vehicle, food truck, etc.) equipped with internet access and the ability to send that signal beyond the vehicle have the potential to help the local community in several ways.

Additional non-passenger transport use cases possible during both emergency and non-emergency situations could include:

- emergency response (transporting citizens away from disaster locations, base camps near wildfires, earthquake zones, etc.)
- mobile communications center (can augment communications at wildfire base camps, field hospitals, field operations centers, etc.)
- hotspots for outdoor activities/events (potential outdoor classrooms, sports events, concerts, fairs, etc.)

Key Proof of Concept Takeaways

- Technology
 - Include SIM cards from more than one carrier in each vehicle
 - Use different technology and equipment designs based on the specific location
 - Make accessing the network simple, intuitive and uniform and available in multiple languages
- Operations
 - Train drivers on the equipment and purpose of the program so they can be helpful troubleshooters and ambassadors
 - Ensure parking permits/agreements are in place before program launches
- Locations
 - Scout potential locations to confirm they can adequately accommodate the bus and ensure there are no impediments that would severely limit the signal range
 - Create partnerships to serve prescheduled events (farmer's market, food distribution, Census, etc.) that effectively reach target audience
 - A routine schedule makes it easier for potential users to locate hotspots at a given day and time
- Outreach
 - Bring in trusted community leaders early on to help design an outreach program that fits the needs of the target audience
 - Leverage the connections of project partners for a multifaceted communications strategy that goes beyond traditional and social media
 - Don't overly rely on information online, since the target audience might not be able to access it
 - Use distinct, high-visibility signage to help identify the hotspot



It's GO Time!

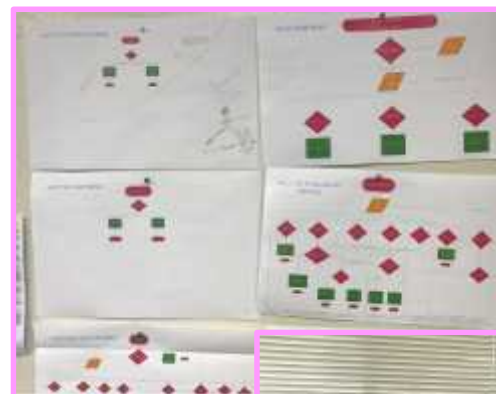
The War Room



IT Testing



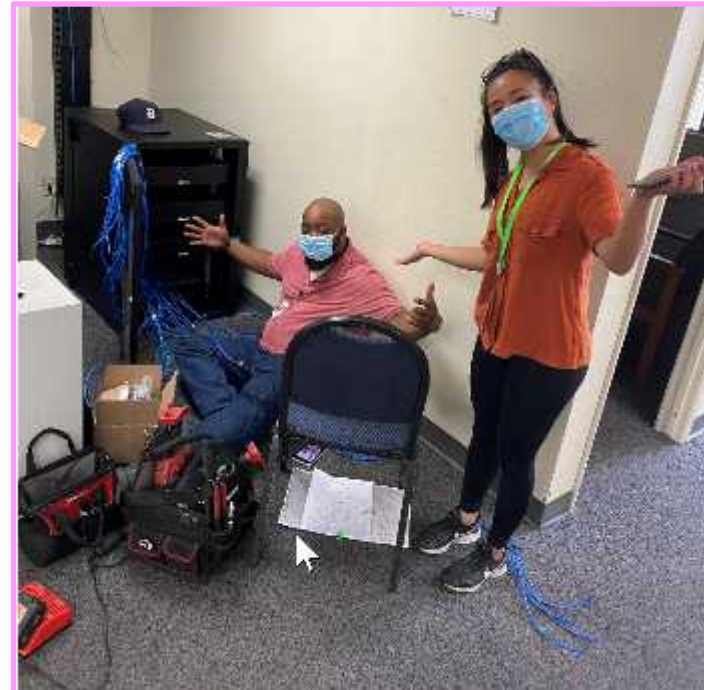
New Phone Tree





Facilities Setup



IT Setup



Customer Outreach

 43:23	SacRT GO Virtual Open House; June 18, 2020 Sacramento Regional Transit • 142 views • Streamed 1 month ago
 26:03	SacRT GO Virtual Open House; June 19th, 2020 Sacramento Regional Transit • 134 views • Streamed 1 month ago



Staging Vehicles



CBS Yard



Downtown Yard



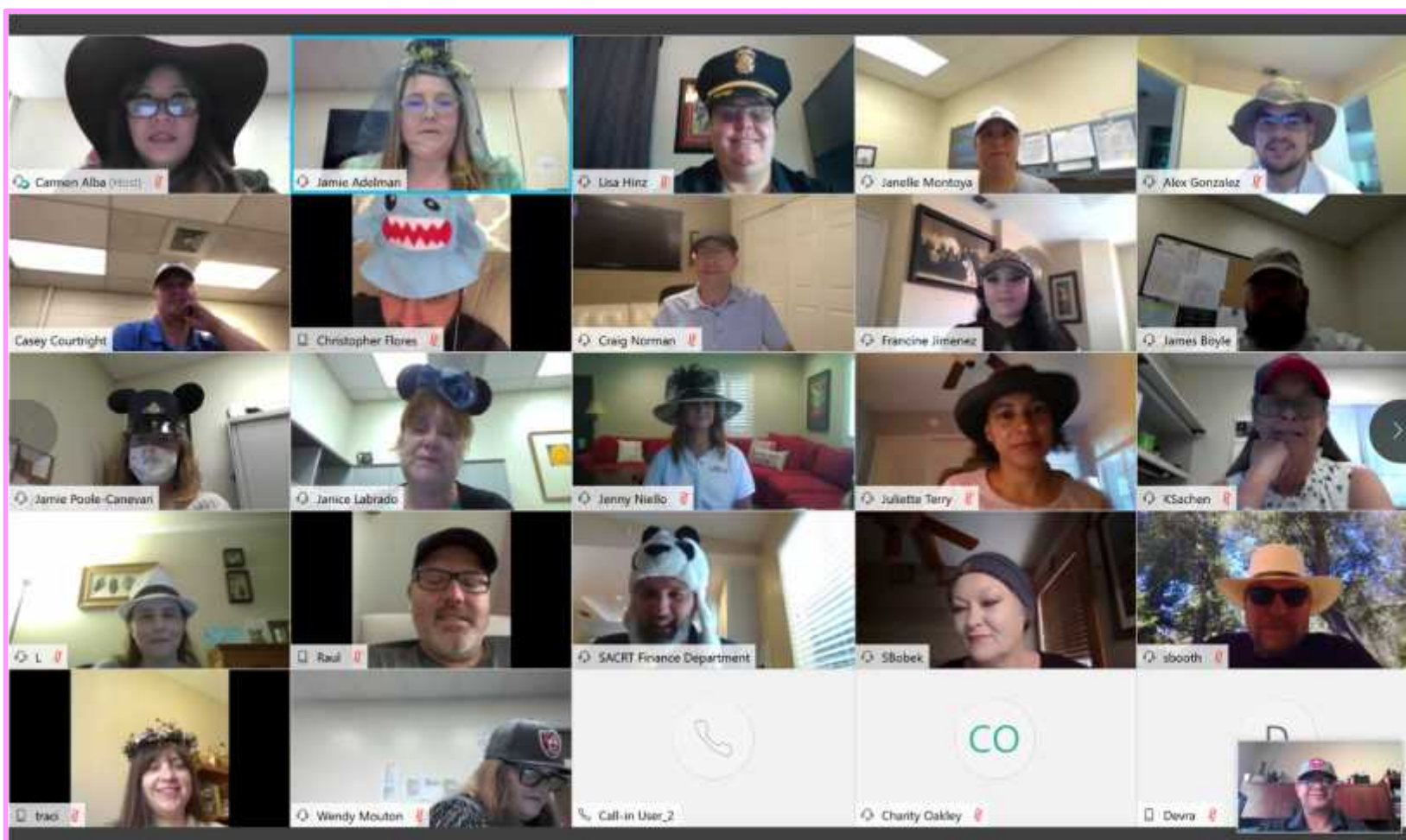
Florin Yard



Hazel Yard



Hats Off!



NEO Sessions



SacRT GO 101



BTW Training



Supervisor Training



Reservations – Day 1



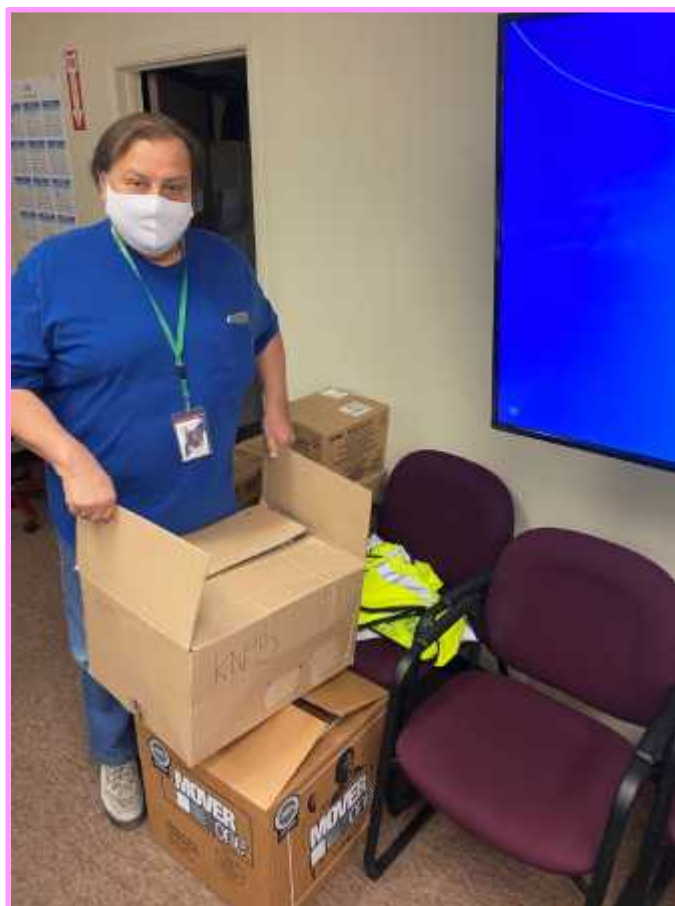
Dispatch – Day 1



Pull Out – Day 1



COVID-19 Precautions



Key Performance Indicators

	Trips	Ridership	Pax/Rev Hours	OTP
Jun-20	871	1,051	1.82	76%
Jul-20	8,827	10,548	1.80	84%

“GO”ing Forward

- Continue collaboration with the Mobility Advisory Committee (MAC)
- Scheduling Software Adjustments for Improved OTP
- Phone System Adjustments to Reduce Hold Times
- Continuous Training for Operators
- New Technology:
 - Online Trip Booking
 - Mobile Application
 - Voice Recognition Phone System



Regional
Transit





STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Montessa Parker, Accessible Services Eligibility Specialist
SUBJ: PARATRANSIT, INC. BOARD OF DIRECTORS VIDEOCONFERENCE MEETING - JUNE 15, 2020

RECOMMENDATION

No Recommendation — For Information Only.

Paratransit, Inc. Board of Directors Meeting Summary

The following directors were present: Anna Fontus, William Charles Johnson, Scott Leventon, Mark Lonergan, Stephanie Nguyen, Molly Nugent, Vidhu Shekhar along with CEO, Tiffani Fink and CFO, Dr. Lisa Cappellari
Absent: Pat Hume and Alice Kimble

The meeting was called to order at 6:05 p.m.

Due to the COVID-19 pandemic, the meeting was conducted via the Zoom platform.

Public Comment

Carol Morse commented on her concerns about health and safety now that people are beginning to travel more. Risk factors such as reduced mask wearing and extended time on shared rides were brought forward. She questioned what else could be done to help passengers stay healthy. CEO Tiffani Fink reassured Ms. Morse that Paratransit Inc. takes these concerns seriously and, though they cannot mandate mask wearing for the public, they have been focusing on social distancing and limiting shared rides whenever possible.

Mike Barnbaum named agencies that he believes require passengers to wear masks here in California. Mr. Barnbaum then shared an update on SacRT GO services, providing the Board with SacRT GO's contact numbers (916-321-2877 option 2) as well as the date they will begin taking reservations (June 26, 2020).

Consent Calendar

The minutes of the May 18, 2020, Board of Directors Meeting were approved unanimously by roll call vote.

CEO Report

CEO Tiffani Fink presented the CEO Report. Ms. Fink provided updates on COVID-19 related efforts. She reported that, with increasing ridership, most staff has now returned to the office. She went over measures to decrease transmission amongst staff such as distancing, temperature checks and mask wearing.

Paratransit Strong updates: Ms. Fink advised that Paratransit, Inc. is still delivering food for the Sacramento Food Bank as well as Family Services; in addition Paratransit staff has continued to provide wellness check calls for the City of Sacramento and the YMCA.

The transfer of ADA and non-ADA service back to SacRT continues with weekly meetings with SacRT. Staffs at both agencies are working tirelessly on the transition. Ms. Fink specifically thanked maintenance staff for their efforts in the transfer of fleet from Paratransit to SacRT. Paratransit Inc. is also working on the final logistics on the agreement between SacRT and Paratransit Inc. for shared space, maintenance contracts, etc. Ms. Fink also announced dates and times for SacRT GO's virtual open houses.

CFO Report

CFO, Dr. Lisa Cappellari provided financial reporting covering April, 2020 as well as YTD (May 2019 through April 2020) information.

-) Rolling year (May 2019 to April 2020) trips provided decreased by 6.8%. Rolling year CTSA Partner trips were down by 29,776 or 7.4%. Rolling year CTSA Enhanced and Expanded trips were up by 8,390 or 10.3% and rolling year ADA trips were down 33,973 or 10.4%.
-) Year-to-date (YTD) total trips provided decreased by 8.6% or 57,767 trips over April 2019 for a YTD total of 615,113. The YTD increase was driven by a 10.1% decrease in CTSA Partner trips and a 11.9% decrease in ADA trips. There was 12.3% increase in CTSA Enhanced and Expanded trips.
-) Overall YTD cost per trip provided was \$28.65. YTD CTSA cost per trip provided was \$8.64, and YTD ADA cost per trip provided was \$60.39.
-) The YTD combined fare recovery ratio was 6.6%. The ADA fare recovery ratio was 6.5% and the Non-ADA fare recovery ratio was 6.6%. These ratios remain above the TDA-required minimum of 5%.
-) The YTD on-time performance rate is 91.0%.

Director Fontus asked if there were any contributing factor for these decreases other than COVID-19. Dr. Cappellari advised that as far as she can tell, COVID is the main reason for the decline.

Presentation of the FY 21 Operating and Capital Budget and Consideration for Adoption

CEO Fink presented the FY 21 Operating and Capital Budget. The draft budget was released at the May 18, 2020 Board of Directors Meeting. The budget as presented in May totaled \$11,067,023. The final budget totals \$12,827,399, an increase of \$1,760,376. This increase is comprised of the following:

1. Further refinement of the Measure A and TDA allocations. The initial forecast presented assumed a 50% reduction in revenues. Many transit agencies are forecasting much less significant reductions. After reviewing the different budget assumptions and in concert with the financial projections utilized by SacRT for the same funding sources, these allocations have been increased to reflect only a 40% reduction in revenues. The net increase is approximately \$179,935 in Measure A and \$86,717 in TDA.
2. Paratransit was able to secure additional grant funding and carryover some state grant funding for approximately \$154,901 in additional funding.
3. Outside Services was increased to reflect the contract in Wichita for eligibility and travel training services, as well as a recent contract award notification from AC Transit (on behalf of AC Transit and BART) to operate their Paratransit Coordinator's Office for East Bay Paratransit. This is approximately \$160,000 in additional funding.
4. The largest increase in funding is the addition of the contract with Sacramento Regional Transit District to provide the maintenance, cleaning and fueling for 50 SacRT Go buses. While a portion of this was included in the draft budget, the final revised number (including fuel and contract maintenance) resulted in an increase of \$1,178,823.

Ms. Fink advised that contracted services are beginning to resume, and Fiscal Year 2020 will end with a balanced budget. In addition, she noted that there are still some outstanding grant applications and proposals under consideration. None of those potential revenues are included in this budget. Staff will present the Board with an update at the September Board meeting on the budget projections to actual.

Director Johnson asked if the 3.1 million in Federal Funds was from the CARES act. If so, he wanted to confirm that it will not be carried over to the 21/22 budget. CEO Fink advised that this is CARES money and she believes that the 3.1 million will be covered with other services in FY 21/22.

Director Fontus made a motion to adopt the budget; however, the motion stalled and discussion ensued regarding parts of the budget related to compensation and bonuses. After further clarification and discussion around previous talks on compensation and incentives for employees the motion was passed unanimously by all present Directors to approve the budget including a \$2000 one time incentive payment to CEO Fink, with the understanding that there will be an update to the Board in September.

Action Items

The following Action Items were approved unanimously by roll call vote by all present Directors.

A. Adopt Resolution 09-20 Authorizing the Chief Executive Officer to Submit the Transportation Development Act Claim for Fiscal Year 2020-21, and Further Authorizing Submittal of Subsequent Claims if Funding Revisions are Issued

B. Adopt Resolution 10-20 Authorizing the Chief Executive Officer to Submit an Application to the Massachusetts Department of Transportation for Federal Transit Administration Section 5310 funding for a Volunteer Driver Program and Mobility Mentor (Bus Buddy) program in Boston, MA and further authorizing the CEO to Execute All Agreements, if awarded.

C. Resolution 11-20 Amending the Paratransit, Inc. By-Laws Related to Board Composition and Governance

Comments

Director Shekhar would like to go forward with a compensation study for staff. CEO Fink advised this is already being planned.

Director Johnson proposed a subcommittee be formed to come up with a business plan as opposed to an executive committee. He suggested that the subcommittee include at least 1-2 members of government subcommittees. Director Fontus clarified that the executive committee is intended to get the plan started. Additional discussion ensued on the merits of an executive committee vs. an ad-hoc.

Meeting adjourned at 7:47 p.m.



STAFF REPORT

DATE: July 27, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Michael Cormiae, Director, Light Rail Maintenance
SUBJ: CAPITOL CORRIDOR JOINT POWERS AUTHORITY MEETING
 SUMMARY - MEETING OF JUNE 17, 2020

RECOMMENDATION

No Recommendation — For Information Only.

SacRT Board Member Steve Miller was present.

- I. Call to Order – 10:01 a.m.
- II. Roll Call and Pledge of Allegiance
- III. Report of the Chair: Work on statement of equality.
- IV. Consent Calendar *Action*
 - 1. Approve Minutes of the February 12, 2020 Meeting
 - 2. Accept Award of Fiscal Year (FY) 2020 Transit and Intercity Rail Capital Program.
 - 3. Authorize Second Amendment to FY 2019-20 CCJPA/Amtrak Operating Agreement.
- V. Action and Discussion Items
 - 1. *COVID-19 Update: Impact of and Responses to COVID-19 Info* – Slide presentation.
 - 2. *Overview of Draft FY 2020-2021 CCJPA Budget (Amtrak Operating, Marketing, Information/Customer Support Services, and Administration) Info* - Ridership and Revenue, Ridership Variance, Service Modifications, Health and Safety, Passenger Engagement, Operating Budget, Impact on budget (COVID), CARES Act.

*Public Comment – Employee appreciation to all Amtrak employees for their service during the pandemic. Mike Barnbaum: Service restoration plan questions. R. Padgett responds to questions for service restoration.

Director McPartland: Q - hand sanitizers on every car? A- Yes.

Director Raburn: Q: Masks, compliance among passengers? A: Amtrak requiring

masks system wide. Conductor carry extras.

Director Lee Q: State guidance (comply with Governor's guidelines), Amtrak Guidelines, Managing individual County health orders (effects on Amtrak). A: R. Padgette, great support from state, received assistance from the state to weigh in on differences of each county.

Director McPartland – We are in compliance with all counties and districts.

3. *Authorize Submittal of Application for the FY 2020 Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program to Support the Santa Clara Siding Project.* Action

FY20-21 Budget plan – Approve draft in Feb when COVID hit, forecasting slides, revenue and expenses.

*Public Comment – Mike Barnbaum – Q: state budget effects.

Director Ames: Q: Budget to through-way bus service? A: Padgette – Open door bus service, working with AC transit.

Director Spering – can't rely on AC training to sink with Amtrak.

Director Raburn – Q; Cost related to terminal?

Siding Project – * Public Comments – None, Dir. Comments – None, Motion passed.

4. *Authorize Submittal of Applications for the 2020-2021 through 2024-2025 State Rail Assistance (SRA) Funding Action*

* Public Comments – None, Dir. Comments – None, Motion passed.

5. *Legislative Matters/Governor's May Revise FY 2020-2021 State Budget. Action*

* Public Comments – None, Dir. Comments.

6. *South Bay Connect Update - Environmental Phase Process Info* - Informational project update. *Public Comment – Mike Barnbaum addressed the Board. Dir. No Comments.

7. *Info Comments* – None.

8. *Managing Directors report Info* - Performance, Ridership levels, Projects, ROW incidents.

9. *Work Completed Info*

- a. Annual Business Plan (FY 2020-2021 – FY 2021-2022)

- b. Richmond Lighting Project

- c. Capitol Corridor Station Access Study, Phase I

- d. Santa Clara Siding (10% Design)

- e. Marketing Activities (February 2020 – May 2020)

- f. No Dir reports, Bart extension to S. Clara county.

- g. Work with requiring the UPRR airing the ROW acquire tracks to support

ability to expand corridor to Salinas to Roseville.

*Public Comment – Mike Barnbaum liked the presentation, ridership seasonal influence.

Director Raburn – comments on the station study.

10. Work in Progress *Info*

- a. Onboard Wi-Fi Upgrade
- b. California Passenger Information Display System (CalPIDS) Modernization
- c. Davis Crossovers and Signal Replacement Project
- d. Renewable Diesel Pilot Program, Phase II
- e. Procurement of Door Panels for NorCal Surfliner Rail Cars
- f. New Transbay Rail Crossing (NTRC)

VI. Board Director Reports – None

VII. Public Comment – None

VIII. Adjournment. Next Meeting Date: 10:00 a.m., September 16, 2020 Virtual Meeting or at Sacramento City Hall, Council Chambers, 915 I Street, Sacramento, CA 95814